HISTORY

OF THE

LATE WAR,

BETWEEN

GREAT BRITAIN

AND THE

United States of America:

With a retrospective view of the causes from whence it originated;

COLLECTED FROM THE MOST AUTHENTIC SOURCES.

To which is added an Appendix, containing public documents &c., relating to the subject.

BY DAVID THOMPSON,

LATE OF THE ROYAL SCOTS.

Niagara, U. C.

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ADVERTISEMENT.

THE appearance of the History of the War having been delayed long beyond the period at which the author at first intended, he begs leave to assure the Public, that the delay was occasioned by a combination of circumstances which it was not in his power to control. Much of that delay, in fact, arose from the difficulty experienced in procuring paper of a sufficiently good quality to answer the just expectations of the patrons of the work. As much exertion has lately been made in Niagara, to supply the Canadian public with the means of information, and that not without a heavy outlay to those interested in the publishing department, it is confidently hoped, that a generous public will fully appreciate those efforts, and extend that patronage which will ensure success.

PREFACE.

ALTHOUGH many books have been circulated throughout the continent of America, purporting to be histories of the late war between Great Britain and the United States, it must be acknowledged that none has yet appeared, in the British North American Colonies, which could be considered as generally authentic. Whatever other causes may have existed to which such a total want of veracity may be ascribed, there is little doubt but a strong desire on the part of the authors to place every circumstance regarding that contest in a favorable point of view as respected their own country, leaving the adverse party as far in the shade as possible, constituted the most prominent—a propensity confessedly to which, American writers, on this topic, have betrayed themselves uncommonly subject. It may, therefore, be fairly presumed, that an apology for the appearance of the following sheets would be quite superfluous.

A faithful and impartial account of the late war, with a review of the causes from whence it originated, must be hailed with the most exalted enthusiasm by all who can boast the name of a Briton, and are worthy of the title. In such a work, generations yet unborn will trace the footsteps of their ancesters in that glorious struggle for the salvation of their country, and emulate their virtuous example, should they ever be called upon for that purpose.

But in the following detail of the events of the war, the present generation, the majority of whom bore so conspicuous a part, will be enabled to review the ter

rific glories of those fields of blood and carnage: the widow and the fatherless will survey the transcendant achievements of their husbands and their fathers, and, in ecstacies of triumph, like the sun shedding forth his radient beams after being obscured for a while by a dense cloud, will smile through their tears. Our British youths, too, whose minds have been endangered by the poisoned shafts of designing malevolence which have been every where discharged through the country, by the many erroneous accounts of the late war with the causes which led to it that have been hitherto published—in perusing a true statement of those events, they will catch that patriotic flame which glowed with an unequalled resplendence in the bosoms of their fathers, and animated to action that noble few who stepped forward to oppose a relentless enemy invading their hitherto peaceful fire sides, and evinced a willingness to endure every privation incidental to the "tented field," in defence of their King, their laws and their country.

That these momentous objects might be fully consummated, the writer has spared no expense to collect the most authentic materials for the work, neither has he shrunk from any labor (however arduous,) that might contribute thereto: official documents, periodicals and volumes of historical matter on the subject, from both the countries interested, which were marked for settled integrity, have been studiously consulted; and in addition to all this, together with the author's personal knowledge of most of the transactions detailed, he has acquired much information on the subject from persons of unquestionable veracity who were present on the field of action in several engagements during that struggle.

As regards talent, in the execution of this work, the writer would beg leave to say, that to such he disclaims all pretensions. The humble sphere in which he has moved did not probably afford any of those bright and flowery avenues to the temple of literature to which many more fortunate individuals have had access: his primary aim, through the whole, has been the acquisition of truth to lay before his readers—for this he has incessantly labored, and which he flatters himself he has so far accomplished that a candid and generous public will indulgently overlook every other imperfection; he only laments that a more competent hand had not ere, this period, taken up the subject.

Niagara, April, 1832.

HISTORY

OF THE

LATE WAR, &c. &c.

CHAPTER I.

Effect of the American Rebellion on the public Mind in that Country—French Intrigue with America—Power of Buonaparte—American Interposition in the Peninsular War—American Reasons for declaring War—Propriety of the Right of Search—Extract from the American Exposition of the Causes of the War—Extract from the President's Message—Concurrence of Congress by declaring War—Revocation of the British Orders in Council—Its Effect in America—Extract from the Prince Regent's Proclamation.

THE causes from whence originated the rebellion which terminated in the separation of the British North American Colonies (now the United States,) from the mother country, had engendered such a spirit of prejudice, distrust and rancour against Great Britain, in the minds of Americans, that for either the government or the people of that country to judge impartially of any subsequent act of the British government, blindfolded as was America by French policy and French intrigue, seemed to be an exertion far beyond their power to accomplish. While, then, Great Britain was engaged in a war against a powerful usurper who was daily becoming more and more the scourge and terror of the world; when the tyranny of that despot over the

surrounding nations seemed to mock all resistance; when his armies had humbled some of the greatest monarchies, and completely blotted others from the list of independent states; when a general feeling of submissive terror seemed to fill the minds of European continental rulers at the power of his arms; it becomes, then, no matter of astonishment to see, by Americans, every means of policy which Great Britain employed to ensure her own success, in that eventful war, warped and construed into acts of aggression and tyranny against neutral nations.

At the head of the list of reasons assigned by the American government for declaring war against Great Britain, stood the Orders in Council regarding neutral commerce, and the right of search as claimed and practised by Great Britain upon American vessels navigating the high seas. True, indeed, Great Britain exercised that right—a privilege she never yet had yielded, nor to which her right had ever been questioned, until America had willingly chained herself to the car-wheels of Buonaparte; and then, and not till then, when the creed was faithfully taught to America by France, to answer her own political purposes, did the shouts of tyranny and commercial oppression resound from all the surrounding shores of the Atlantic. But for whom did Great Britain search, when she committed this pretended act of tyranny on America? Was it for American citizens? surely not, but for her own deserters, a description of people who, it is well known, on board of American shipping, had ever found an *insecure* but ready shelter. Had Great Britain once relinquished her right to search vessels of the United States, both her army and navy, by desertion alone, would have suffered materially.

In a work published since the late war, under the authority of the government of the United States, entitled "An Exposition of the Causes and Character of the

War with Great Britain," it is stated, that "up to March, 1811, Great Britain had impressed from the crews of American vessels, peaceably navigating the high seas, not less than six thousand mariners who claimed to be citizens of the United States, and who were denied the opportunity of verifying their claims." And in the same work it is further added, that "when war was declared, the Orders in Council had been maintained with inexorable hostility, until a thousand American vessels with their cargoes had been seized and confiscated under the operations of these edicts"

Another reason assigned, in the work above cited, for declaring war, was stated to be "an open violation of the American waters and an infraction of the fundamental principles of the law of nations by the" pretended "blockade." However, to these might justly be added, together with a few considerations of minor import, the idea of an additional stripe to the national escutcheon *by the Conquest of Canada.*

In a message from Mr. Madison, the American president, dated June 1st, 1812, recommending immediate war with Great Britain, as the only available means of satisfaction to which they could now resort, for the numerous insults and indignities which the American flag had sustained—all other causes were but as a drop in the bucket, compared with the Orders in Council, both in the extent of the injustice of the measure and in the mischief arising from them to neutral nations. It is there stated, that "these orders were evidently framed so as best to suit the political views and commercial jealousies of the British Government. The consequences which would result from them to neutral nations had never been taken into the account; or, if contemplated or foreseen as highly prejudicial, that consideration had no weight in the minds of those by whom they were imposed."

The United States congress perfectly concurred with the sentiments held forth in the president's message, and followed it up, on the 18th of the same month, with an act of that body (carried by large majorities,) declaring war against Great Britain, &c. offensive and defensive, in due form. On the 23d of the same month, the British Government rescinded the Orders in Council so bitterly complained of; but the arrival of that repeal in America, did not, in the slightest degree, tend to restoring public tranquility. The genius of war, the demon of destruction had already gone abroad, and no concession on the part of Great Britain was sufficient to allay it. It was stated in the public documents of the United States, that "the Orders in Council had not been repealed because they were unjust in their principles and highly detrimental to neutral commerce—on the contrary, the motive of their repeal was obviously selfish and had no reference to the rights of neutral nations. America, to protect herself, and to avenge her wrongs, had prohibited all commercial intercourse with Great Britain. The latter power, thus deprived of her best customer, had no longer a sufficient and regular market for her manufactures and colonial produce; her merchants and manufacturers were nearly ruined; distress and poverty spread themselves over her territories; complaints and petitions poured in from all quarters; and the Orders in Council were repealed, not to render justice to America, but to rescue a large portion of the British people from absolute starvation." Yet, notwithstanding all this, it is stated in the document above alluded to, that, "if the Orders in Council had taken place sufficiently early to have been communicated to the United States government before they had actually declared war, the repeal of these decrees against neutral commerce would have arrested the resort to arms; and that one cause of the war being removed, the other essential cause—the practice of impressment—would have been the subject of renewed negotiation. But the declaration of war having announced the practice of impressment as one of the

principal causes, peace could only be the result of an express abandonment of that practice."

In opposition to the reasons assigned by the American government, it was stated in a speech of the Prince Regent of Great Britain, bearing date the 9th day of January, 1813, a few months after the declaration of war, that "the real origin of the contest was to be found in that spirit which had long unhappily actuated the councils of the United States: their marked partiality in palliating and assisting the aggressive tyranny of France; their systematic endeavor to influence the people against the defensive measures of Great Britain, and their unworthy desertion of the cause of other neutral nations. * * * * * * * * * * * * * * *

It is through the prevalence of such councils that America has been associated with France, and committed in war against Great Britain. And under what conduct, on the part of France, has the government of the United States thus lent itself to the enemy? The contemptuous violation of the treaty of the year 1800, between France and the United States; the treacherous seizure of all American vessels and cargoes, in every harbor subject to the control of the French arms; the tyrannical principles of the Berlin and Milan decrees, and the confiscations under them; the subsequent confiscations under the Rambuoillet decree, antedated or concealed to render it more effectual; the French commercial regulations, which rendered the traffic of the United States with France almost illusory; the burning of the merchant ships at sea, long after the alleged repeal of the French decrees—all these acts of violence, on the part of France, produced, from the government of the United States, only such complaints as end in acquiescence and submission, or are accompanied by suggestions for enabling France to give the semblance of legal form to her usurpations, by converting them into municipal regulations This disposition of the government of the United States; this complete subserviency to the ruler of France; this

hostile temper towards Great Britain—are evident in almost every page of the official correspondence of the American with the French government, and form the real cause of the present war between America and Great Britain." Such might be said to form the prominent features of the discordant views taken by the two governments, as regarded the conduct of each other, and from which source emanated the incessant acrimony and recrimination that so strongly marked their diplomatic relations for a number of years, and ultimately involved the two nations in a most unnatural war.

But before we enter into details, it may not be improper in this place to take an impartial retrospect of the causes which led to an even t so much lamented by the enlightened men of both countries, that we may be the better enabled to decide upon the justice of those pretensions held out by the executive of each nation, and to those who have been accustomed to hear only the one side of the question it will be especially instructive.

CHAPTER II.

*Conciliatory Disposition of the British Government towards America—Reasons for the same—An uncommonly hostile Disposition manifested by the American Government towards Great Britain—Reasons for the same—Grand commercial Treaty between Great Britain and France, before the Revolution—Commercial Treaty completely overthrown on the Accession of Buonaparte—The unrivalled commercial Greatness of Great Britain, cause of bitter mortification to France.**

It seems to be a general opinion that the Americans, whether right or wrong on the principles of public law on which they so obstinately insisted, (a point which shall be afterwards examined,) might have brought matters to an amicable arrangement, without any material sacrifice even of the doubtful maxims for which they contended; for never was the spirit of conciliation carried farther than by the British government in its intercourse with the ministers of the United States.

England had many obvious reasons for endeavoring to avert the calamities of an American war at this period: she was engaged in a very arduous contest in Europe; she had the most numerous and formidable enemies to contend with; she had the interests of her commerce to maintain, which are always dependent, in some degree, on a friendly connection with America; and she had,

* In order to preclude the necessity of referring to notes for the authorities from whence the following, on the events of the war, has been chiefly collected, which in such a work (especially) is eminently calculated to confuse an ordinary reader; it is conceived most proper in this place to state, that amongst the British and American periodicals and other publications of the day in which the occurrences noticed transpired, the Annual Register, Niles' Weekly Register, &c. &c. &c. have largely contributed their portion.

moreover a natural and generous aversion to conquer, before she could bring herself to draw the sword against a people connected with her by a resemblance of language, laws and institutions. These were motives sufficiently powerful to have restrained English ministers, even if they had not been otherwise remarkable for mildness and forbearance. Had the principles of international law, which were invariably advanced by the Americans, been as sound as an impartial examination of them may perhaps shew that they were unreasonable, still it would have been in the power of America, had she sincerely desired peace, to have preserved it by an honorable compromise on those points which had created the greatest difference of opinion, or almost by any thing short of an absolute surrender of the rights and honour of Great Britain, which it was rather too much in any people to expect. But if there be any one point in recent history which even the arts of faction cannot involve in doubt, it is this: that the government of America was not sincerely desirous of peace with Great Britain; that it took all possible means to disturb the moderation and provoke the anger of the British ministers; and that upon all occasions it betrayed symptoms of the most unaccountable partiality to the despotism of France; those who studied the history of American affairs for three or four years immediately preceding the declaration of war against Great Britain, are well aware of the grounds on which this opinion is formed; and a very singular inquiry thus suggests itself, how it should have happened, that the only republican government in the world, should, at the greatest crisis of affairs, have combined with the most odious of despotisms against a country which had always been recognised as an illustrious model of practical freedom, and which was, at this very moment, engaged in a grand effort to vindicate the independence of nations.

In attempting to account for this singular political phenomenon, something undoubtedly must be allowed for the yet unextinguished spirit of animosity produced

by our unfortunate colonial war. It may probably be supposed that such antiquated prejudices had long ere the period at which the war commenced, become the exclusive property of the vulgar; and must have given way in the minds of enlightened men, to considerations more recent in point of time, and more important in their practical influence on American affairs. It is an undeniable fact however, that the government of the United States is, to a more than ordinary degree, under the discipline and control of the rabble; and if indeed there be any truth in the common speculation as to the motives of their hostility towards Great Britain, it must be very far gone in vulgar absurdity. National prejudices so discriminating and so mischievous, are every where but in America confined to the lowest order of men; they have long been banished out of the more respectable circles even of private life, and could never find their way into the councils of a great European state, without devoting it to the supreme and unsparing contempt, and ridicule of its neighbors.

With the narrow contracted prejudices of the American democracy, other causes undoubtedly conspired to accelerate a rupture with England. The commercial system, that miserable tissue of blunders, which had so long and so effectually kept down the growing prosperity of Europe, had been wisely exploded by the most enlightened European nations before the revolution of France. The enlarged views and superior talents of those political philosophers who diffused a radiance round the close of the last century, had completely triumphed over every obstacle which ignorance and prejudice could oppose; and England and France at last discovered that they had a mutual interest in the commercial greatness of each other. They did more than this; they reduced their principles to practice, and embodied them in a treaty, which, if not unexceptionable in all respects, was at least, a great step towards the triumph of genuine philosophy over the errors and absurdities of the old political

school. The French revolution, however, deranged all the plans of enlightened men; it engendered a rancour and animosity between the nations more violent and pernicious than the ancient jealousies of the commercial system, and terminated at last in a despotism, which threw France and her dependencies far back in the scale of improvement.

The commercial system was revived by the new French government, with a barberous and destructive fury, which had never been contemplated at any former period; the refined and generous principles which so many eminent men had contributed to establish, were forgotten; their works were neglected or proscribed; the progress of human improvement was arrested, all seemed about to be sacrificed to the rude genius of an overwhelming despotism. As a truce with that crafty and despotic usurper who had now gained such an absolute ascendancy over the destinies of the French nation, was never any thing more than his passive submission to necessity, until he could recover himself from some untoward dilemma into which his folly and ambition had brought him; so was it soon discovered to be the case with the peace of Amiens. His invincibles had been driven, by the British troops, from the shores of Egypt; his fleets had been either taken or locked up in French ports by the immortal Nelson and his compatriots; and, in order to recover himself, he is induced to accept of the terms of what is called the Treaty of Amiens; but reckless of all good faith, it was scarcely promulgated to the world, until every term of that treaty was violated, and Europe again convulsed by a relentless war. But even during the short interval of repose which succeeded the treaty of Amiens, the maxims of the new government were sufficiently indicated in the impolitic restraints and prohibitions by which the commercial intercourse of the countries was fettered. England, however, in all this, never pretended that such measures afforded a legitimate ground for hostilities

since every nation being supreme within itself, has a right to determine whether it shall or shall not receive the commodities of foreign states; but if the commercial animosity of France could not have justified England in declaring war, it certainly afforded her a just and solid ground for entertaining jealousy against a power thus hostile to her interests, and called upon her to watch all the proceedings of that power with the most scrupulous vigilance.

The unrivalled commercial greatness, to which England had arisen, at this time, surpassing all that history had ever recorded at any preceding period, and all that even the most flattering visions of her statesmen had ever contemplated, was an object of bitter and increasing mortification to the politicians of France; her naval supremacy, which was founded on the prosperity of her commerce, and promised for it an indefinite duration, filled their minds with jealousy and apprehension. These feelings rose to the highest pitch after the peace of Amiens. Europe seemed to learn, for the first time, that the commercial grandeur of England possessed a stability which had never been supposed to belong to this species of power. It had withstood the shock of the most extended and desolating warfare; and at the close of a contest of long duration and unparalleled fury, in which the empire had sometimes contend with the combined energies of Europe, it not only remained untouched but had mightily extended itself during every year of hostility. The war had terminated in the establishment of a naval power, which had gathered strength by all the efforts made to weaken it; and had now risen to that proud eminence, which bid defiance to all rivalry. The rulers of France reflected on these matters with bitterness corresponding to the disappointment of their hopes; they despaired of being able for this enormous power by any ordinary efforts; and could think of no way by which its further growth might be checked, but by the entire sacrifice of their

commerce and resources. They hoped that by excluding the productions of British industry from their ports, and by prohibiting the use of British commodities throughout France and her dependencies, they might gradually undermine this overgrown power; while their depraved policy at the same time sought to inculcate a belief among their subjects, that such measures would promote the industry of France. Thus was a system established, (if indeed so rude and impolitic a thing deserve the name,) in direct opposition to all the views of modern science; a system, which was in truth but a barbarous extension of the old theories, that so many enlightened men had endeavored to banish for ever from the world.

CHAPTER III.

The Relation in which the affairs of America stood with those of France as regarded Great Britain.—Great Britain fully succeeds in annihilating the Commerce &c of France merely by following the footsteps of that Government—Issuing of the "Berlin Decree"—That Decree executed with inexorable Force—Passing of the British "Orders in Council" in retaliation—The Orders in Council fully justified by the Law of Nations—Blockade of the British Islands an open Violation of the Law of Nations—Rights of Neutral Nations the same in War as in Peace.

THE measures adopted by France, as set forth in the foregoing chapter, had a twofold connection with the affairs of America. In the first place, the American statesman entertained much the same feelings with respect to the commercial and naval greatness of England with their friends in France; their understandings were in general of the same character, and their tempers equally as violent. They, as well as the French politicians, wished to render their country great by commerce; and as the established ascendancy of Great Britain appeared to them to stand in their way, they scrupled not about the means which might be employed to remove it. Their minds were not susceptible of a generous emulation; envy was the only feeling which a near view of the naval and commercial greatness of England could excite in their bosoms. They had no dread of France, who had in the course of the war lost her commerce, her colonies and her ships; whose power never came into contact with their own; whose resources of all kinds were exclusively devoted in the prosecution of a war, in the result of which, they vainly thought that America had no interest. But they hated England, her commerce and her power, as cordially even as the members of the

French government did: and had America been as little dependent on commerce as France, had her citizens been as indifferent to its real interests, or had her rulers possessed the same despotic sway over their fortunes, which the French government had assumed over those of its own subjects, it is probable that Mr. Madison and his auxiliaries would at once have followed the example of Buonaparte, by prohibiting all commercial intercourse with the British empire. But the Americans had not yet been wholly overawed by their rulers; and it became necessary to pursue a more indirect and insidious course with them, than that which had been followed by Buonaparte in his dealings with a people whom he had entirely subdued.

The measures pursued by France in the execution of her anti-commercial system, suspended for a while the international law of Europe, and afforded to the rulers of America the pretext which they had so long desired, for gratifying their animosity against England. The commercial hostility of France during the peace, although never considered by Great Britain as a ground for war, was not however forgotten when hostilities were renewed: and the English ministers therefore determined to employ the naval power which was at their command, to the annihilation of the foreign commerce of their enemy. These measures were such as the interests of the British empire demanded, and which a state of hostility fully justified; and they completely suceeded in accomplishing the object which they had in view. The foreign commerce of France was annihilated; her industry checked; her resources wasted; and her ruler discovered, when it was too late, how gross were the errors which he had committed. It was however, impossible to retract; and he resolved to carry his commercial war to the utmost pitch of fury. In this temper did Buonaparte issue his famous Berlin Decree, which renewed all the old prohibitory regulations, and ludicrously *declared the British Islands to be in a state of blockade*, at the very

moment when the fleets of Great Britain actually blockaded all the ports of France and her dependencies. Neutral vessels bound to, or returning from a British port, were made liable to capture by this singular decree. Matters remained for some time in this state, the French ruler being unable to execute his decree, and the British government being averse to advance further in so barbarous a warfare. But having again proved successful in his northern campaign. Buonaparte resumed with fresh vigor his prohibitory system; he confirmed all the provisions of the Berlin Decree; excluded the merchandize of Great Britain and her dependencies, and accompanied these prohibitions with the severest penalties.

Every article of British produce was searched for, seized and committed to the flames; while the most cruel punishments were inflicted on the subjects of France, who dared to violate these arbitrary laws. This violent system had now reached its height, and it seemed to be the determination of the French ruler to have it executed with the utmost rigor; the British government, therefore, could no longer, either in prudence or honour, delay the retaliation which its power enabled it to inflict. The famous Orders in Council were therefore issued; all trade to France or her dependencies was strictly prohibited; all vessels, of whatever nation, which ventured to engage in this trade, were declared liable to seizure, and France and her dependencies were thus reduced to that state of blockade, with which she had vainly threatened the British Islands. The Orders in Council admitted but of one single exception to this general blockade of the French empire. The French decrees had declared all vessels liable to seizure which had touched at a British port, the Orders in Council, to counteract this provision, declared, on the other hand, that only such ships as were in that situation should be permitted to sail for France. Thus did the utter extinction of the foreign trade of France result as a natural

consequence of the very measures of her own government; measures, which no despotism, how ignorant soever, would have ventured to adopt, had it not trusted to a power which effectually silenced all popular opinion.

Two questions have been put on these Orders in Council, were they founded in justice, and were they supported by reasons of expediency? On the first point, with which alone foreign powers had any concern, the advocates of these measures had a very easy task to perform; for nothing surely can be more obvious to those who know any thing of the law of nations, than the right of Great Britain to retaliate on her enemies their own violence and injustice. What has been called the rule 1756, forms the first link in that chain of commercial restrictions, which in the sequel became so complicated; and the perfect equity of this rule has always appeared manifest to the most enlightened minds. France, like the other European powers who possessed distant colonies, endeavored to secure for herself the monopoly of their markets; and during peace strictly prohibited all strangers from carrying on trade with them. When she goes to war with England, however, the superiority of her enemy's naval power compels her to relax the rigour of her colonial policy; and she is willing that neutral vessels should bring home the produce of her American settlements. By the interference of these neutrals, however, the British are manifestly deprived of the advantages which their naval power would otherwise secure to them; of the chance of captures, and the certainty of reducing colonies without striking a blow.

But no neutral can, upon any pretext, claim greater advantages *after*, than she enjoyed *before* the war; she has a right to insist that her relative condition to the belligerents shall not be rendered worse by the hostilities in which they may engage, but she can have no right to demand that it should be improved. By admission,

however, to the colonial trade of France during war, a trade from which neutrals are excluded by France herself during peace, the condition of the neutral is manifestly improved; it is improved at the expence of England, who is deprived of the chance of captures and conquests, which her power would otherwise give her; and it is improved to the great gain of France, whom the interference of neutrals protects against the overwhelming power of her enemy. There can be no doubt as to the equity of the rule of the war 1756, that rule of which France and America have so loudly complained. The Orders in Council of January, 1807, which was not issued till after the Berlin Decree had been published by Buonaparte, was also justifiable on the very same principles; it went merely to exclude neutrals during war from a branch of the enemy's trade to which they had no access in time of peace. So far then the measures adopted by the British government rested on the clearest principles of international law.

And what were the measures adopted by France? had they any foundation in the acknowledged principles and usages of public law? The decree of Berlin prohibited all commerce in British commodities; France indeed had a right to do this, however fatal the measure might be to her own interest, and that of her dependencies; and had the Berlin Decree gone no further, although it might have had the effect of embittering the hostile spirit of the two countries, it neither could have justified, nor would it have been met by any specific act of retaliation on the part of England. But the French ruler, in a moment of despair, ventured to declare the British islands in a state of blockade, and to interdict all neutrals from trading with a British port. This was a violent infringement of the law of nations; a daring insult on neutral rights; an act of mad injustice, which loudly called upon all parties to avenge themselves of its authors. The honour of Great Britain pre-eminently demanded that she should repel this outrage

with becoming spirit; and although she at first seemed willing to treat so impotent a measure with contempt alone, and to wait its result on the conduct of America, yet it will not be denied that the right still remained to her of exercising retaliation when the proper season should arrive. The date of the publication of the Milan Decree appeared to her to be that season; time enough had been allowed to the different neutral powers to remonstrate against the enemy; they had failed to improve the opportunity afforded them; and England could no longer remain silent when a new decree was issued, more unjust and insulting than its predecessor, more absurd and barbarous than any thing which had ever occurred among civilized nations. She therefore, issued her Orders in Council, which in effect reduced the French empire to a state of blockade, and cut off the whole commerce which neutral nations had hitherto carried on with the enemy. Of these measures France of course had no right to complain, and a very little reflection will suffice to shew that if America had any just grounds of remonstrance, she should have offered them to France alone, and not to England, against whom she was so prompt to bring forward her accusations.

France was the first of the belligerents to violate the law of nations. She issued the Berlin Decree, and followed it up by the other, dated at Milan, by both of which, the Americans and all other neutrals were prevented from maintaining their usual intercourse with England. These measures were in their principle a direct invasion of neutral rights, and it was therefore the duty of neutral powers to have remonstrated against them with firmness. But America did not thus resist; and she in this manner committed herself with the enemy. It was a principle tenaciously maintained by Buonaparte on all occasions, that those who did not resist an injury offered them by either of the belligerents, were no longer to be considered as neutrals; that by their acquiescence, they made themselves parties to the cause of

the enemy, and that of course, they were to be treated in the same way as if they had actually declared war against the nation to whose interests they stood opposed. It was on some principle of this kind, that he declared the ships of all neutrals which submitted to what he called the tyranny of the English, *denationalized*—an uncouth and barbarous word invented to serve the occasion of these unhappy times, when Europe was no longer under the guidance of wise and sound principles.

To submit to any thing which France pretended to call a departure from the international law of Europe, was therefore held sufficient to denationalize the ships of neutral powers; and although the application of this principle may frequently have been erroneous, there can be no doubt that the principle itself was just. If France violated the law of nations, as she unquestionably did by her Berlin Decree; and if America calmly acquiesced in this insulting invasion of her rights, there can be no sort of doubt that she thus made herself a party in the quarrel which France had with England; that she in effect conspired with the common enemy, and that her ships were, to use the jargon of the French government, clearly "denationalized." Had England therefore meditated hostility towards America; had she been anxious to avail herself of a pretext for a quarrel; had she been desirous of exacting from a secret enemy the full penalties of her accession to the cause of the other belligerent; she might very well have proceeded, on the simple fact of American acquiescence in French violence, at once to have treated the Americans as enemies.

A candid exposition, therefore, of the rights and duties of belligerents and neutrals, must completely exculpate England from all blame in issuing her Orders in Council. It is the doctrine of all jurists, that the rights of neutrals during war are exactly the same as during peace; the neutral powers are entitled to demand of either belligerents that in their intercourse with the other, they shall

not be subjected to greater restraints than they experienced during a season of tranquility; but no neutral is, by any means, entitled to require more than this, or can expect that a belligerent should sacrifice to the convenience of the neutral, any of the just rights she may acquire by a state of war. The principle of this doctrine is obvious; no nation can expect that a foreign power is to sacrifice its own immediate interest to her convenience or advantage. When we come to consider these general principles, with reference to the case of America, their force seems to be irresistable. Suppose that America had been entirely out of the question, that her name were unknown in Europe, and that she had still remained in her ancient state of dependence on the British empire; suppose for a moment, that the question had arisen entirely between Great Britain and France; that France had violated the law of nations, by presuming to declare the British islands in a state of blockade, and then let any impartial person say what is the policy which Great Britain would have been entitled and called upon to pursue? She would clearly and evidently have had a right to do the same thing to France, which France had attempted to do to her, that is, she would have been entitled to declare the French empire in a state of blockade with all possible vigor. Such then was her undoubted right; and will it be pretended that America—that a foreign nation was entitled to interfere with her, in the exercise of her rights? It is of no importance to the thing in hand to enquire, whether the blockade of France was, or was not, on the whole beneficial to England; that was a matter for England alone to consider; it was a question with which America had no sort of concern; and it is of the rights of America alone that we now speak. America, then, had no right to complain of the exercise of the powers which England possessed by her superiority, as one of the great European belligerents; which she derived immediately from that state of hostilities, in which she, and *not America*, was involved and,

which, of course, she had a right to improve to her own advantage, and the annoyance of her enemies.

There is still another light in which this momentous question may be considered, with reference to the established law of nations. It is in the power of England to exclude America or any other nation from trading with herself, and it is in the power of France to do the same. Suppose, then, that both nations had mutually agreed to treat America in this manner, could she have ventured to complain? But it is the same thing whether these powers do so directly, and in conjunction, or indirectly by means not less efficacious; whether they exclude the Americans by the operation of a peaceful league between themselves, or by a series of measures adopted during war. If France, by attempting to exclude all neutrals from British ports, communicated to her enemies a right to retaliate, can the Americans interfere; or are they in a worse condition than if the belligerents had separately, and in a time of profound peace, determined to renounce all commercial intercourse with them? Surely not; they could not, with the slightest appearance of justice, complain; they could not demand that their condition should be improved by a state of European warfare; they could not claim the forbearance of England towards her enemies, for the sole purpose of conferring a favor upon neutrals; they could not, in short, upon any sound principle, object to the Orders in Council.

Different opinions were entertained on the question as to their expediency; and although these famous measures are said to have been, in the first instance, strongly pressed upon ministers by the mercantile interest, there can be no doubt that the government was in some measure deserted by this powerful body, before the Orders in Council were finally repealed. The discussions which at intervals ensued on this subject,

were signalized by the uncommon zeal and acuteness of the advocates on both sides; and an account of them, in the order in which they occurred, will, it is believed, form an interesting subject to introduce the history of the war, and will tend to exhibit the agitated state of the public mind on this question, at this period in Great Britain; and show from whence the American government inferred the extreme poverty of the British mercantile and manufacturing interests, from the effect of those edicts.

CHAPTER IV.

An extremely hostile Disposition manifested towards Great Britain by the President and Congress of the United States—Affectation of Impartiality in the Discussions of the American Congress, on the Conduct of Great Britain and France—Effect produced on the public Mind in England, in Consequence of the hostile Attitude America had assumed—Serious affair between the crews of two French Privateers & American Seamen at the Port of Savannah—Vaunting Language of America—Implicit Confidence of the British Government in the Loyalty and firm Attachment of the People of Canada—That Confidence confirmed—Various Discussions in England on the Propriety or impropriety of going to War with America.

ALTHOUGH the question arising out of the Orders in Council formed, at first, the chief subjct of dispute between Great Britain and America, yet many other points, in the course of discussion, were introduced, scarcely less dfficult of arrangement. At the meeting of the American congress, in the end of the preceding year, the speech delivered by the president gave evident indications of a very hostile spirit towards Great Britain; and as this speech was followed by a report of the select committee of congress for foreign affairs, which was no less warlike, the hopes which had been entertained of an amicable arrangement seemed to vanish. The committee, with a wonderful affectation of impartiality, began by a general complaint as to the wrongs which America had sustained, both from France and England, in the seizure of the property of the citizens of the United States, when peaceably pursuing their lawful commerce on the high seas; and reprobated the defence which had been offered by each party, that its acts

of violence were merely retaliatory, on similar acts committed by its antagonist. The Americans, it was said, violently assailed, by both these European States, withdrew their citizens and property from the ocean, expecting redress from the justice of the belligerents; but having failed in this object, they had recourse to the non-intercourse and non-importation laws. To induce the European powers to return to a system of justice, they had offered commercial advantages to the belligerent which should first revoke its commercial edicts; and had to impose more severe restrictions on the other. But here did the mask fall to the ground; here did all semblance of impartiality cease, from the report; which proceeded to announce that France, profiting by the friendly offers of the United States, had, on the 1st November, 1810, declared the repeal of the decree of Berlin; that the British were thus bound to have revoked their Orders in Council, but instead of this, they had advanced still bolder pretensions; they had affected to deny the practical extinction of the French decrees, and had insisted that France should renounce the whole system of her commercial warfare against Great Britain, of which these decrees originally formed a part. That the exclusion of British produce and manufactures from France and the states in alliance with her, was a means of commercial warfare with which the United States had no concern; and that France would never concede to the unauthorised demands of America, those rights which she considered as the most powerful engine of the war; that the outrages of England had not been confined to the commerce alone of the United states; that by the seizure of American seamen, which was still carried on with unabated rigor and severity, the greatest insult was offered to America; and that the only question now was, whether the Americans should tamely submit, or resist by those means which circumstances had placed within their reach. That it had now become the sacred duty of Congress to call forth the patriotism and resources of the country; and the committee, therefore,

earnestly recommended, "That the United States be immediately put in an armour and attitude demanded by the crisis, and corresponding with the national spirit and expectations."

As soon as the accounts of the warlike preparations in America were made known in Great Britain, it became an universal opinion that war with that country was now inevitable. The report of the committee of Congress certainly breathed an uncommonly hostile spirit towards England, and left no room to expect an amicable or conciliatory arrangement. Its reasonings were wholly founded on the assumption that the prohibitory decrees of France had really been repealed, whilst the daily conduct of that power, and the experience of the government of America, positively and peremptorily contradicted that assumption.* The committee attempted to avail themselves of a captious and quibbling distinction between the international law asserted by France, and the municipal regulations established for the government of the commerce of that country; still the French government continued to declare that no British goods

*The justice and fairness which have been evinced on the part of the United States towards France, both before and since the revocation of her decrees, authorised an expectation that her government would have followed up that measure by all such others as were due to our reasonable claims, as well as dictated by its amicable professions. No proof, however, is yet given of an intention to repair the wrongs done to the United States; and particularly to restore the great amount of American property seized and condemned under edicts, which, though not affecting our neutral relations, and therefore not entering into the question between the United States and other belligerents, were nevertheless founded in such unjust principles that the reparation ought to have been prompt and ample.

In addition to this, and other demands of strict right, on that nation, the United States have much reason to be dissatisfied with the rigorous and unexpected restrictions to which their trade with the French dominions had been subjected.

President's Message to Congress, 5th Nov. 1811.

should be admitted into French ports, *notwithstanding that these goods may have become the property of neutrals;* thus were the Americans completely shut out from a branch of commerce, of the peaceful enjoyment of which they had long been in possession, and in which, of course, they had an undoubted right to engage. Even though the Berlin and Milan decrees had, as far as regarded their practical operation on the great high way of nations, been fairly revoked, yet their principle was still retained, to a degree which not only called upon neutrals generally to protest against them, but on account of their practical bearing on America, particularly, demanded from them a firm and decided resistance. The British government did not insist, as was vainly affected to be believed by the committee, that America should at any time interfere with the domestic regulations of France; but she certainly insisted that America should not, by lending herself to the enemy, or by passively submitting to conditions which had never until now been imposed upon any neutral nation on earth. Nothing could, probably, more forcibly exhibit the hostile disposition of America towards Great Britain, and her servile duplicity towards the ruler of France, than her submission to the blockade of the British Islands—an act of the French emperor which America herself had declared to be an open violation of the public law of nations, and when France did not employ a single vessel to enforce it. Even though the decrees of France had therefore been rescinded, that repeal must have been totally nugatory, since, by a municipal regulation which America strenuously defended, a palpable violation of the rights of neutral nations was still committed; neutrals were still compelled to comply with the measures of France, to the injury of British commerce; thus proclaiming to the world a principle of a description altogether new and extravagant. From all these it may be fairly seen that America had no grounds whatever, except her base traffic with the French ruler, for declaring war against Great Britain; nor were they warranted by

an exposition of their finances to hazard a proceeding so violent and unjust.

During the time that the American legislature was engaged denouncing in the severest terms the injustice of Great Britain, and apologizing for the outrages of France, an affair of a very serious nature occurred at Savannah, which had nearly opened the eyes of America to the insolence of the French towards a nation which had so completely debased itself by its servile compliance to the measures of that government. One evening, about the middle of November, 1811, as two French privateers were lying in the port abovementioned, a rencontre took place between a party of American seamen and a party of the crews of the French privateers, in which three of the Americans were stabbed and severely wounded. The American seamen then in the port, being highly exasperated at the conduct of the French, rose, *en masse*, with a full determination to revenge themselves by the destruction of the privateers; they, therefore, in pursuance of this design, seized and set fire to one of them and burnt her to the water's edge. The other privateer was immediately taken possession of, by a party of the Savannah volunteers, who protected her until between eleven and twelve o'clock at night, at which time the American sailors procured a *lighter-boat*, filled her with tar and various combustible materials, towed her along-side the remaining privateer to which they made her fast, and then set her on fire, which soon forced the guard to abandon their charge, which was speedily destroyed. In this instance, amongst many others, the French were unquestionably the aggressors; their arrogance and insolenee towards America on every occasion became absolutely past endurance; yet had not the spirit of the people urged them here to redress their own wrongs, it is more than probable that the government, as in circumstances of a similar nature, would never have thought of interfering.

The sentiments which were contained in the report of the committee of the legislature, before alluded to, were violently supported in the House of Representatives; and it was actually declared by one speaker in that house, to be the unanimous opinion of that committee, "That the encroachments of Great Britain were such as to demand war, as the only alternative by which to obtain justice." Others of the members dilated largely on the power which America possessed to harass and annoy Great Britain both by sea and land; that it was in their power completely to exhaust her colonies, and to annihilate her trade by an active system of privateering. Their vanity even carried them so far as to boast of the *easy conquest would be made of Canada*—a threat which at all times excited ridicule in Great Britain, knowing well how strongly the people were attached to the laws and institutions of the mother country. Indeed so well were the British government aware af the loyalty and valor of the brave yeomanry of Canada, that she actually risked the salvation of the country from the grasp of the enemy into their hands; and well was that confidence repaid, for they actually appeared to rejoice in suffering every description of privation, to afford them an opportunity of harassing and finally repelling the proud invader in every incursion he made. There were, however, still to be found, in England, many persons who highly deprecated a war with America, as one of the greatest evils which could befal that country; and who, notwithstanding the length to which the vanity of America had carried her in her unreasonable demands, still entertained a hope that hostilities might yet be averted. No person could certainly have felt a desire of having a war with America, merely on its own account; but at this period it was impossible to discover by what means the calamities of a war could be avoided, consistent with the honor of the British nation, when the absurd pretensions of the government of America were taken into consideration.

They had, at various periods, made use of the language of defiance, daily boasting of the ability they possessed of utterly destroying the commerce of Great Britain, and of their power of conquering Canada; all considerations were therefore set aside, and on war they were fully resolved. Under such circumstances, for Great Britain to have succumbed would have been a sacrifice of her honor, inasmuch as it would have been yielding to menace and insult of the most degrading kind. It would have been no better than cowardice of the most dastardly description, for Great Britain to have rescinded her Orders in Council at this period; and it was a fact proved to a demonstration, that America never intended to stop here, or the French emperor did not intend to allow her to rest satisfied with this concession. The ministers of the British nation therefore determined to act upon the principle so elegantly unfolded by Mr. Burke: "That in small, weakly states, a timely compromise has often been the means, and the only means, of drawing out their puny existence. But a great state is too much envied, too much dreaded, to find safety in humiliation. To be secure, it must be respected Power, and eminence, and consideration, are things not to be begged; they must be commanded; and they who supplicate for mercy from others, can never hope for justice through themselves." The conduct of the British ministers, however, in this affair, was not altogether undeserving of reprehension: they had determined, through the semblance of fear, to make no concession to America, and thereby cast on that country the odium of first having recourse to arms. Yet after that nation had declared her unalterable resolution for war, and adding that, notwithstanding this, she was determined to wait until her preparations were complete, for Britain to allow her time for such preparations, and not strike the blow at an enemy whom, from the most palpable evidence, she had ever suspected of the basest political treachery,

in all the diplomatic relations which occurred between the two countries, and whom she knew to be irreconcilably bitter and rancorous, was honorable to a fault. To have attacked them at such a time and under such circumstances, would have been a policy both wise and vigorous.

CHAPTER V.

Motion made in the House of Commons, by Mr. Whitbread, for Copies of official correspondence between British and American Ministers, to be laid before the House—Charges in Mr. Whitbread's Speech against British Ministers, for Inattention and Incivility in their Intercourse with those of America—Mr. Whitbread's Motion strenuously opposed in the House of Commons—The Charges against British Ministers by Mr. Whitbread rebutted—Mr. Whitbread's Motion in the House put and negatived.

In order, however, to avert the calamities naturally attendant on a state of hostilities with America, it was moved in the House of Commons on the 13th of February, by Mr. Whitbread, "That a humble address be presented to the Prince Regent, praying that he would give directions to lay before the House copies of all correspondence which had passed between the British and American ministers, from the 1st of January, 1810, to the latest period, together with the documents referred to in the correspondence. It was urged by Mr. Whitbread, In support of this measure, "That although the governments of both countries had, from the beginning, professed to be actuated by the most friendly and conciliatory dispositions towards each other, the breach between Great Britain and America had been widening from day to day, till it appeared that war between the two countries must be the inevitable consequence of the perseverance of England in her present system; that the information demanded by this motion was already before the whole world, with the exception of the two houses of parliament; that it had been the practice of the House, when she entertained suspicions that the business of the state was not well conducted, to require information from the executive power; and that the

only ground upon which such information had ever been refused was that a disclosure might disturb or impede the impending negotiations; as the information required was already before the world, no such plea could in this case be offered."

"From a perusal of the papers, it appeared that the conduct of those who managed the negotiations had been very culpable, yet it was impossible to bring a charge against them until the documents were produced. The British ministers at home had behaved with the greatest inattention to the American envoy, and had shown a neglect amounting to diplomatic incivility, while our ministers in the United States have acted in a manner scarcely less repulsive. The conduct of Mr. Jackson and Mr. Foster, while in America, had not been conciliatory; while the correspondence of Marquis Wellesley with Mr. Pinkney, which commenced in January, 1809, and terminated in February, 1810, had been such as to raise the indignation of the American government. The behaviour of Mr. Pinkney, on the other hand, had been deserving of great praise. When he entered on the duties of his mission, a strong feeling existed in America in consequence of what had occurred in the conrse of Mr Jackson's embassy; and the Americans were naturally anxious as to the character of the person who was to be named by Great Britain to renew the negotiation. On the 2nd of January, 1809, Mr. Pinkney again wrote to the Marquis Wellesley on the subject, but no answer was given to this letter till the 14th of March. On the 15th, Mr. Pinkney again wrote to Lord Wellesley respecting the English system of blockade, a subject most interesting to America; but to this letter he did not receive an answer for more than a fortnight. On the 30th of April, Mr. Pinkney wrote to Lord Wellesley on the subject of the Berlin and Milan decrees, but to this letter he never received any answer at all; and a complaint which he made against the infamous practice of forging ships' papers in London, and

making an open traffic of them, was treated with the same neglect. That many other instances had occurred in which the communications of the American minister had been treated in a manner not less contemptuous, and in particular to his letter of the 15th September to Lord Wellesley, on the subject of the blockade of Elsineur by Sir James Saumarez, and stating some circumstances relating to the seizure of four American seamen in the Viola, he received an imperfect answer only on the 6th of December, which noticed the letter so far as it related to the blockade, but said nothing at all on the subject of the impressment. That the latter subject was one of the greatest delicacy; and although the seamen had afterwards been released by virtue of a judgement of Sir William Scott, yet the secretary of state had considered the original complaint as unworthy of his notice. Such had been the conciliatory spirit of the noble secretary, who permitted the sentence of a court of justice to answer the communication of a foreign minister, whom he himself would not take the trouble of satisfying on so interesting a point. Although Mr. Pinkney had, on numerous occasions, addressed the British minister on the subject of the Berlin and Milan decrees, he had never received any satisfactory answer, and he accordingly demanded his audience of leave."

"Little appeared to have been afterwards done towards effecting the important objects which both governments professed to have at heart. Mr. Foster had been sent out with no new instructions; he went to offer what had been previously rejected, and to restate what had often before been stated in vain, so that his mission was only productive of disappointment. That it was of the utmost importance to conciliate America; this object might at one time have been thought unattainable, but from some measure recently adopted by Congress, for admitting British manufactures into the ports of the United States, there was reason to believe that it was still the wish of the Americans to avoid a rupture. The prosperity of

America contributed largely to the welfare of this country; and that America had committed no fault, except that, as she was placed in an extraordinary situation as the only neutral in the world, she had endeavored to avail herself of the advantages her situation afforded. The intelligence which had so recently been received from America, made it more important than ever, thoroughly to consider this subject; that the bill spoken of, as likely to pass through Congress, would give umbrage to France; and it was the duty of the British government to endeavor, by conciliation, to avail itself of any difference of this kind, which might arise."

Several members strongly opposed the motion of Mr. Whitbread for the production of the copies of the correspondence between the two governments, and he and his friends were highly censured for the allegations they had brought against the government of Great Britain, regarding their conduct towards America, and on their strict adherence to the Orders in Council. "The British government," said they, "instead of having acted unjustly towards America, had the strongest case against that power, that one nation ever had against another; no benefit could result from a premature agitation, in the House of Commons, of the differences between the two countries; but, on the contrary, the greatest inconvenience and mischief might thus be produced. Government had uniformly expressed but one sentiment in regard to the dispute with America, and was sincerely desirous that a war with that country might be avoided, if that could be done without injury to the maritime rights of Great Britain, which never could be yielded to the pretensions of France. The prosperity of America was not so essential to the welfare of Great Britain as many persons affected to imagine; all the predilections of America closely united her to France; and partly from the influence of these feelings, partly from more sordid motives, she insisted that England should allow her to take up the whole carrying

trade, nay, even the whole coasting trade of her enemies. It was for America to decide the question of peace or war; she had adopted a new system, and made new and unheard of pretentions, to which she knew well that Great Britain never would, nay, consistent with her honor, never could concede. By moving for papers, it must be intended to create a discussion on them when granted; yet any parliamentary discussion which could take place on the subject, must necessarily increase the irritation on both sides. The spirit of conciliation always professed in the diplomatic correspondence, between the two countries, had been most sincere on our side; but the British government would never abandon these maritime rights, which the country had so long maintained, and which were necessary to her greatness. The Marquis Wellesly had acted wisely in declining to go into details as to the principles of the blockade which we were called upon to abandon. The first letter of Mr. Pinkney, alluded to in the debate, had been written for the purpose merely of asking Lord Wellesley some questions on this point; but the British government was determined not to confound with the discussion on the Orders in Council, this question of blockade; and therefore it was absurd to suppose that England should stand ready to declare to France how much of her rights she would surrender, in order to purchase for the Americans a revocation of the tyrannical and obnoxious edicts of Buonaparte. As to the letter of Mr. Pinkney, on the subject of the recall of Mr. Jackson, which was said, with so much emphasis, not to have been answered by Lord Wellesley, the American minister himself had, in his correspondence with his own government, stated that he had had communications with Lord Wellesley on the subject, and repeated opportunities of personal intercourse; and that he had been informed by his lordship, and had no doubt of the fact, that a minister would be sent out to America without delay. If the letter had not been formally answered, therefore, the omission was fully

explained, and the information desired by Mr, Pinkney had been communicated to him in another manner. The ostensible reason of Mr. Pinkney, for demanding his passport, was that no minister had been sent to America; yet he had been previously informed, that the delay in sending out a minister had been occasioned wholly from the situation in which the government found itself for the two months preceding, in consequence of His Majesty's illness. The Orders in Council did not originate with the present government, the system having been acted upon by those who now complained so loudly of it; no one, in the proper exercise of his reasoning faculties, could dispute the justice of these Orders in Council, who was not, at the same time, prepared to deny our right of retaliating upon the enemy its own excesses; & those who attributed the commercial distresses of the country to the Orders in Council, must have forgotten that the continental system was of itself sufficient to account for the distress which had occurred."

"The late repeal by France of her decrees, was a mere pretence, since the principles of the system were still preserved with vigour; for in a letter lately written by Tureau the French minister to the American government, he declared: That it is to be clearly understood, that France would not consent to alter that system of exclusion adopted by all Europe against the commerce of Great Britain, the wisdom and policy of which system was already clearly developed in its effects against the common enemy; that neutrality was entirely disregarded in every state over which France had any influence. Such was the language of France through her own minister, which openly declared that she had said to each state in succession, I must take away your liberty and independence in order to injure England: and could it be doubted, that Great Britain was thus entitled to call on neutral nations to assert and maintain their rights? The correspondence between this country and America was not finally closed; and while a

hope remained, how faint soever, it should be by all means cherished, and nothing should be done which might increase irritation." The question of Mr Whitbread, for the production of the correspondence, was then put to vote and negatived by an overwhelming majority.

Whatever might have been the inducements held out by France to America, for pursuing such a line of conduct as she did, does not here form a matter of discussion; but certain it was, that the most monstrous and egregious falsehoods and misstatements were invented, and industriously and indefatigably propagated throughout the United States, obviously intended to widen the breach already existing between the government of Great Britain and that country. It was said, and there were even members of the American congress found who alluded to it in their speeches, that Great Britain had actually demanded of the United States to pass a law authorizing the introduction of the produce and manufactures of the British Islands into the ports of America; and for compelling France to receive such goods as of American production. Mr. Foster, in a communication to Mr. Monroe, denied this statement in the most positive and unequivocal terms; and notwithstanding, Mr. Monroe in his answer to Mr. Foster (which, by the bye, was not sent for more than a month afterwards,) still harped and talked of what he called "the novel and extraordinary claim of Great Britain, to trade in British articles with her enemy." How wilfully gross was such a misstatement, when made by the chief secretary of the government, and uniting it to the extraordinary demand which that country so often made upon Great Britain, that she should believe the vague declarations made by France, that she had abrogated her Berlin and Milan decrees, when every act of that government explicitly contra-

dicted that declaration.* Mr. Munroe, the American secretary of state, urged a complaint, that ships' papers of America were counterfeited to a large extent in Great Britain, and in a way scarcely capable of detection. Mr. Forbes, in return, very justly complained of the great partiality the United States had ever shown to France and her commerce; that in all the diplomatic intercourse of America, she unerringly kept in view the

*But the enemy has at length laid aside all dissimulation; he now publicly and solemnly declares, not only that those decrees still continue in force, but that they shall be rigidly executed until Great Britain shall comply with additional conditions equally extravagant; and he further announces the penalties of those decrees to be in force against all nations, which shall suffer their flag to be, as it is termed in this new code, "denationalized."

In addition to the disavowal of the blockade of May, 1806, and of the principles on which that blockade was established, and in addition to the repeal of the British Orders in Council, he demands an admission of the principles, that the goods of an enemy, carried under a neutral flag, shall be treated as neutral; that neutral property under the flag of an enemy shall be treated as hostile; that arms and warlike stores alone (to the exclusion of ship timber and other articles of naval equipment,) shall be regarded as contraband of war; and that no ports shall be considered as lawfully blockaded, except such as are invested and besieged, in the presumption of their being taken [en prevention d'etre is,] and into which a merchant ship cannot enter without ger.

By these and other demands, the enemy in fact requires, that Great Britain and all civilized nations shall renounce, at his arbitrary pleasure, the ordinary and indisputable rights of maritime war; that Great Britain, in particular, shall forego the advantages of her naval superiority, and allow the commercial property, as well as the produce and manufactures, of France and her confederates, to pass the ocean in security, whilst the subjects of Great Britain are to be in effect proscribed from all commercial intercourse with other nations; and the produce and manufactures of these realms are to be excluded from every country in the world to which the arms or the influence of the enemy can extend.

Extract from the Declaration of the Orders of Council, April 21, 1812.

interests of that nation; and even carried her partiality so far as to allow French ships of war to enter and clear from her ports, and permit them to expose for sale, in the ports of the United States, prizes taken from British merchants who had actually laded and cleared from those ports at which they were sold. But to this complaint, so well founded as he knew it was, of such base national treachery, Mr. Monroe never found time to reply. Such was the conduct of America, as a neutral nation,—to allow the ships of war of one belligerent to take merchantmen, the property of the subjects of another belligerent, at the very mouths of their harbors, and tow them into their ports and sell as lawful prizes; and such was the manner in which the negotiation was carried on by the United States government, and on which Mr. Whitbread and his friends in the House of Commons, have been so lavish in their eulogiums.

CHAPTER VI.

Mr. Whitbread's Motion again introduced into the House of Peers by the Marquis of Lansdowne, and in the House of Commons by Mr. Brougham—Outline of the Arguments in Favor of that Motion as far as concerned the Relations between Great Britain and the United States.

At the time when Mr. Whitbread moved to produce the correspondence between the two governments, several members betrayed a strong desire to unite that subject with that of the Orders in Council, with a view to procure a decision against both measures, without a fair and candid discussion of the subjects. The time, however, which had been so long anticipated, and by many so ardently looked for, at length arrived, when this subject of so vast importance was to be considered. It was introduced in the House of Peers by the Marquis of Lansdowne, and in the House of Commons by Mr. Brougham. The motions in both houses were framed in exactly the same terms, calling for a committee to be appointed to take into consideration the situation of the commerce and manufactures of the country, with a particular referenee to the Orders in Council and the trade by shipping licence. As this subject was so intimately connected with the affairs of America, at this time, it shall here have a due consideration.

Those who supported the motion, contended that the commercial calamities of the kingdom had now risen to such a height, and the complaints and clamor of the manufacturers were so loud and general, that the legislature of the country was bound in duty to listen to those complaints, and to inquire into the cause and existence of the evil, and the manner of providing a remedy to remove it; that it was the duty and interest of all

persons throughout the community to prosecute this enquiry, and to go hand in hand with the movers in its support; that even the conscientious dissentients to the present motion, with reference to the source and extent of the evils existing, must feel desirous of having the sentiments contained in the motion defended and established. That all with whose approval the system of 1806 met, must certainly be desirous to know to what extent it had been maintained by that of 1807; that those persons who did not, in the first instance, actually disapprove of the new system, but felt surprised at its unlooked-for consequences, must feel solicitous to ascertain if there be not sufficient grounds for a change of opinion; that others who yet entertained a favourable idea of the general policy at present pursued, might conceive some doubt as to the expediency of the manner in which it was followed, and others again who reprobated the new system from its beginning, and were even prepared to shew their predictions verified, must feel a peculiar anxiety to avail themselves of an opportunity of unfolding the madness and folly of government, and of repressing the calamities that threatened the whole kingdom. That after a fair and impartial inquiry had been instituted, and it were found that the evils of which the country so loudly complained were without a remedy, the people would then be prepared to bear them with more fortitude. That it was of the utmost importance to know, since the Orders in Council had ever been represented as being of a retaliatory nature, what that system was on which it was pretended to retaliate. That the course of policy by which France was actuated might be clearly traced to one of the great moving principles of the government of Buonaparte, namely, that of crushing the commerce of its enemy, even though its own mercantile interests should become the ultimate sacrifice: to this point centered all the measures of that government. That the distresses prevailing among the mercantile establishments throughout France, originating from this very source, were represented by the people

of every commercial city and town in the empire. But what was the reply of Buonaparte to these representations? They were told that it was now too late in the day to speak of commerce; that France had now become a country of arms, and that it was the desire of the government to see nothing but soldiers and peasantry; and in view of supporting this principle by means of theory, Talleyrand had published a book in which he struggled to exhibit the encouragement of arms and agriculture as the only sound and natural policy of the French nation, since the time in which the storm of the Revolution had subsided. Now, under these peculiar circumstances, it was asked, did not the true policy of Great Britain demand of her to foster her own commerce; and in whatever part of the globe the very semblance of neutrality appeared, it was her interest to nurse and encourage it into existence; but by the measures of retaliation on her enemy to which she has had recourse, she has risked the advantages of both, and has only been inflicting a punishment on an enemy, which, under those circumstances, he was not capable of feeling.

The magnanimous and dignified character of the British nation rendered it a duty for her to have protected and encouraged a neutral nation, like America, in every branch of commerce; separated as America was from her enemy by a widely extended ocean, which, to him, was impassable. That next to the evils resulting to our commerce from a war between Great Britain and America, would be those arising from a war between America and France; the designs of the enemy would then be complete, for there is not a port on the continent from which British trade would not then be excluded. That the whole course of policy which we had pursued, had hitherto been marked by an unwarrantable hostility to neutral nations; and there was but one language spoken by all the measures we had yet adopted, namely, that they must either declare themselves on the side of one

belligerent or the other. That ever since the British Orders in Council had been issued, the commerce of the country had evidently been on the decline; the returns which were presented of the exports and imports of the year 1809, shew the amount of exports to the continent of Europe to have fallen short of that of 1808, not less than ten millions, and that to America not less than five millions, making an aggregate failure of that year of fifteen millions. But that in April, 1809, a complete modification of the Orders in Council had taken place; the former sweeping system had been substituted by a blockade of only a limited extent—Holland, the coast of Germany as far north as the Ems, and that part of Italy situated between Pisaro and Orbitello. Thus had the old system been entirely abandoned, and the retaliatory measures laid entirely aside. However, the government of France had still had recourse to means, for severity, far surpassing any thing of the kind they had yet adopted; and so far were they from betraying any embarrassment from the policy of Great Britain, that they had driven the anti-commercial system to its utmost extremity. That a lamentable evidence was afforded of the calamities produced by the commercial measures to which England had so tenaciously adhered, in the melancholy and distressed state of our commercial and manufacturing towns and cities, and in the enormous increase of the number of bankrupts In one town alone, [Liverpool,] in the small space of four weeks, the poor had actually increased to four times their number. These proofs of distress exhibit a fearful and appalling state of affairs, and cannot be met by referring to the custom-house books, whatever may be the accounts given by these to the country; in answer to statements of this description, we have only to direct our attention to our jails overflowing with debtors, our poor-houses filled with mendicants, and moreover, to some of our most populous and hitherto wealthiest counties, where the distress had arisen to so appalling a height as to have driven the people to a state of open rebellion. That,

notwithstanding the fallacy of the custom-house accounts, still they did not conceal the lamentable truth of the decrease of the mercantile interest of the country; that when the exports of 1811 were compared with those of the preceding year, in those accounts, a very great falling off was discovered; nay, notwithstanding the year 1808 had been the least propitious of any year ever known in the country, yet the year 1811, in the amount of exports, had actually sunk beneath even that. That very little credit is to be placed in the accounts of the custom-house; as a proof of which we need only revert to the circumstance, that although they exhibited an increase of the amount of exports in 1809 over that of 1807, to the enormous amount of twenty millions, yet it was afterwards discovered that this great increase of exportation had been sent to markets where there was not the least demand for the goods, and consequently the next year the most part of the goods exported were returned upon our hands, and thereby an additional value was occasioned to the imports, in proportion to the value sent back to us. Such proofs as these, staring us in the face, ought to admonish us how little regard the custom-house books are entitled to, in proving the existence of distress with which the manufacturing and commercial interest of the kingdom had been visited. That that system, pregnant with so many evils—the system of granting licenses—had grown out of the unparalleled state of our commercial affairs; the number of licenses granted in 1807 did not exceed 1,600, but by the year 1810 they had actually swelled to the number of 18,000. It was a fact that all remaining of the principles of the Orders in Council were, by these licenses, conceded to the enemy; and thus were we pursuing a trade, to a participation of which he was admitted, but from which neutral nations were precluded, unless such as chose to avail themselves of the license system. That a more impolitic course could not be pursued by Great Britain than thus to give encouragement to the commerce of her enemy, and that too, at the expense of neutral nations, since the regula-

tions laid down for the government of those acting under the authority of such license, were shamefully violated in every letter; they were in fact secretly pursuing a traffic with the enemy, and that in the very way of which he was most desirous, and to prevent which, there was no way whatever, except lining the whole coast of the enemy with Britsh ships-of-war, and by this means establishing a real and not a nominal blockade. That the result of this license system had been an enormous increase of foreign ships in the ports of Great Britain, and establishing an extensive and well organized nursery of seamen to man the fleets of the enemy. That in Great Britain, the consequences arising from the system of granting licenses had been no less alarming; that the controul of the commerce had passed entirely into the hands of the executive government. But were this the only danger to which this system was subject, it would yet be comparatively harmless; but it was subject to abuses of a greater magnitude, and which spoke powerfully in favor of the present inquiry. That prodigious errors had, in the issuing of them, been frequently committed; that one class of individuals possessed opportunities of information of which others were totally denied, and that it had become necessary for the members of the Board of Trade to hold correspondence with merchants which was calculated to unfold secrets which might be used for the most unworthy purposes That under this system it was at all times in the power of the enemy to ascertain the articles we were desirous of exporting, and what we might wish to have exported from the continent; it would certainly then be a fault of his own if he did not turn such information to his own advantage, and reduce our commerce completely under his own controul.

But the greatest evil to which this system was subject, was that which it produced on the morals of the mercantile branch of our community; they were allured into speculations which, commenced with forgery, are carried

on by a course of perjury, and terminated in the most bare-faced frauds. That the very conditions of these licenses were disgraceful to that government that issued them; that besides the ships' regular papers, the licenses allowed the captains of ships to take on board other sets of papers which were forged from beginning to end, and when the ships arrived at their destined ports, these forgeries had all to be confirmed by the most solemn oaths of the captain and all his crew. In support of all this, a letter of a very singular description was then referred to; it was written by a person who had made a regular profession of the forgery of ships' papers; it read thus: "Gentlemen, we take the liberty herewith to inform you, that we have established ourselves in this town, [Liverpool] for the sole purpose of making simulated papers, which we are enabled to do in a way that will give ample satisfaction to our employers, not only being in possession of the original documents of the ships' papers and clearances from the various ports, a list of which we annex, but Mr. G. B., having worked with his brother, Mr. J. B., in the same line, for the last two years, and understanding all the necessary languages. Of any changes that may occur in different places on the continent, in the various custom-houses and other offices, and which may render a change of signature necessary, we are careful to have the earliest information, not only from our own connections, but from Mr, J. B. who has proffered his assistance in every thing, and who has for some time made simulated papers for Messrs. B. and P. of this town, to whom we beg leave to refer you for further information. We remain, &c." Such were the degraded and miserably disgraceful expedients to which this new system had driven the British merchants. It was not a sufficient reply to palliate the guilt attendant on such transactions to say, that had our merchants not committed those crimes, others would certainly have taken the advantage, and perpetrated them; though the universe besides should commit itself by such a shameful and unprincipled procedure, let not Great Britain, the character of

whose merchants had always in former years been proverbial for probity and honor, descend to this depth of shame and degradation.

A great deal was urged against the Orders in Council relating to the effects they were likely to have on American manufactures; that they would tend to increase their growth in the New England States, till at length they would supercede the British manufactnres in the South American markets. That it was not derogatory to the national character of England to endeavor to conciliate America; that they had not been haughty or violent in advancing their claims; that it was a natural expectation, since they believed firmly in the repeal of the French decrees, that the repeal of our Orders in Council should follow; that in common courtesy to France, America was bound to believe what had been solemnly asserted by the French government, that her decrees had in truth and verity been repealed. Much clamor, and that without the least foundation, had been raised for the security of our maritime rights; but no question had ever been made by America to those rights in their fair and liberal interpretation. And finally, that it was a singular feature in affairs, to hear the advocates of the Orders in Council opposing investigation, who, had these orders been really servicable to the country, had of all others least reason to fear inquiry

CHAPTER VII.

The Distresses in the Manufacturing and commercial Interests of Great Britain chargeable to the Orders in Council, completely disproved—The Distresses in the manufacturing Branches in England only imputable to a Propensity of wild Speculation engendered amongst those Classes, by the unparalleled Prosperity of the British Trade in the years 1809 *and* 1810.

In reply to the foregoing arguments, it was said, that the distresses alluded to in the manufacturing and commercial interest, had not arisen from any effect of the Orders in Council; that these distresses were not general; and the papers on the table, so far were they from supporting these assertions, that they actually contradicted them. That the view was the most ridiculous and absurd imaginable, which had been taken of the state of commerce; that the very year in which the Orders in Council had been enforced, which occurred in 1807, the amount of exports was about thirty-four millions and a half, and in the year following it was about the same, but in 1809 it rose to upwards of fifty millions; in 1810 it fell to about forty-six millions, leaving an immense increase since the year 1807, the year in which the Orders in council were first issued. How ridiculous and unfounded were the reports which those supporting the motion for inquiry had so laboriously circulated; that millions of British property had been confiscated by Buonaparte; and even were they admitted as truth, had not the least relation with the subject of the Orders in Council. That the American non-intercourse law and the other measures adopted by that government, instead of impeding the commerce of Great Britain, had laid open to our merchants a direct trade with the Spanish and Portuguese colonies, and had thus proved of infinite benefit to the commerce of this coun-

try. That in order to dispel that delusion which certain persons have been so studious in imposing on the country, it is only necessary to present a fair account of the exports to America and the West Indies, during the years from 1807 down to the present time. In 1807 the value of exports amounted to nearly fifteen millions; in 1808, notwithstanding that our trade to the United States was partially prohibited, it amounted to nearly sixteen millions; in 1809, the year in which the non-intercourse law was acted upon, it amounted to upwards of nineteen millions; and in 1810, the law of non-intercourse being still in existence, our exports to America, including the West Indies was nearly twenty millions and a half in value. It would appear, then, that in the years between 1807 and 1810, the enormous increase of nearly six millions of pounds sterling had taken place in the export trade of this country to America alone. That the account given of the injury sustained by British shipping, from the effects of the Orders in Council, had been most wilfully and wantonly exaggerated and misrepresented; but which, by a reference to facts, could be very easily contradicted and disproved. In the year 1807, the whole British shipping actually employed amounted to 311,000 tons; in 1808, 436,000 tons; in 1809, 539,008; and in 1810, 609,000 tons; so that in the years between 1807 and 1810 an increase of 298,000 tons had actually taken place. The number of seamen employed in that shipping also increased from 88,000 to 102,000; and notwithstanding the fact, that foreign shipping also increased, yet let it be borne in mind, that this foreign shipping, in the circumstances of the world, had contributed largely to the prosperity of British commerce.

A complaint has been urged by some, that to the foreign shipping of the continent a partiality had been discoverable, over those of America, to such we would reply, that Great Britain never made any such distinction; and if the Americans did not participate in the

trade lately carried on, they had none but themselves to blame. That from an immediate intercourse with the Spanish and Portuguese colonies in South America, Great Britain derived a very great advantage; that the advantages of commerce, and the objects for which the navigation act was principally intended, were thus equally promoted. If the British Orders in Council had never been issued, France would have remained uninterruptedly in the peaceable enjoyment of a trade with the whole world, and thus been enabled to supply herself with the raw materials of her manufactures, an object for which she was particularly anxious, and to which her whole efforts were unceasingly directed.

It might be enquired, from what cause did the Orders in Council originate? France issued a decree that there should be no farther trade to England; the natural answer of England was, that nothing should be exported from France but as she permitted; and by her maritime superiority she had the power of enforcing her mandate. She, too, possessed a right of apprising neutrals, that if they countenanced restrictive edicts of one belligerent, inimical to all commercial interests, they must likewise submit to regulations which she should dictate in defence of those interests. That the government of great Britain had ever cultivated a friendly disposition towards America, while on the contrary that of France had been extremely hostile. On every opportunity which presented itself, had France seized and destroyed the property of American citizens. That the government of France had evinced many proofs of its insincerity in its regulations with America, and more particularly in the repeal of its decrees; and even in the courts of admiralty in England had those marks of insincerity on the part of France manifested themselves. That many persons who support the motion, either from ignorance of the fact, or intentionally to serve some purpose or other, had drawn a line of distinction between sequestration and condemnation, while with the French

government the difference existed only in name, but in effect they are one and the same thing; and by the easy term of sequestration had France condemned much property of citizens of the United States. That notwithstanding the great length which some had allowed themselves to be carried on the subject of perjury, as connected with the Orders in Council and license trade, and the feeling manner in which the immorality attendant on such a traffic had been depicted, yet let it be remembered that the system of perjury had been in existence long before the Orders in Council or license traffic had been known in the kingdom. That at Embden a house was established for no other purpose whatever but to practise frauds of that description, for which a regular commission of two per cent was charged, and allowed; and even though the license trade and Orders in Council were abolished, the country would have to return once more to the system of neutralization which was mainly supported by tyranny, in the mode by which it was pursued. Many schemes have been called into contribution with a view to impress on the minds of the people, that their distresses were wholly imputable to the Orders in Council; it is true, that subject was most learnedly discussed on, but the picture was most extravagant, and only existed in the minds of those by whom it was propagated, if indeed it had even an existence there. That the exportations from this country in the year 1809 had been returned on our hands, or any part of them, was an assertion founded on some gross error; the very goods of that year's exportation found a ready and profitable market, which market remained open to us until the spring of 1810. With the declaration of the French government staring us in the face, that no repeal of the commercial decrees of that country could take place, until Great Britain should, in the first instance, abandon her right of blockade, how childish it were to talk of the actual repeal of those decrees; under this delusion, too, America has been loud in her claims upon Great Britain to rescind so much of her commercial

regulations, of 1807, as would leave the commerce of that country perfectly free. But let it be first enquired where such a measure would end; were England to repeal her Orders in Council and abandon the license trade, a trade would at once be opened by which America would be enabled without interruption to carry the produce and manufactures of France and her dependencies to every port in the world; while England would be entirely shut out from that trade which her enemies were only enjoying by her permission. That no doubt can exist in the mind of any person in the world, who will take pains to consult the evidence we have on the subject, that the commercial restrictions adopted by the French government, although they, in some measure, affected this country, inflicted a severe wound on their trade and resources; that since the Orders in Council were issued in 1807, the commerce of Fr[illegible] had experienced a severe falling off, as appeared evident from the affairs of her national bank, and the transactions in her money market; and in like proportion has her revenue failed since that period.

It was said that an appointment of a committee of the House of Commons, for the purpose of considering the measure now before them, could answer no good end, without that committee, by an interference with the affairs of America, should controul the deliberations of the cabinet, a proposal not at all likely to find support in this house. At the deliberations of such a committee, persons of conflicting interests were to be examined; some from whose connection with the trade of America have naturally imbibed certain prejudices in its favor; others again who stand connected solely with the trade to the continent of Europe, and whose prejudices must therefore stand opposed to those of the first class; under such a state of things, it would be impossible for a committee to arrive at any conclusion. On the whole, it would be an act both mean and despicable to announce

to the world, that a question in which was involved so much importance to the nation, should be decided on the narrow and sordid principle of profit and loss.

But there is yet a quarter to which we may look, as having produced many of the evils which may have afflicted our commercial and manufacturing interests, viz. the unexampled prosperity of British trade in the years 1809 and 1810, which had begotten such a spirit of wild speculation amongst our merchants and manufacturers, that in the event of the least stagnation, in connection with the French decrees, could not fail of drawing in its train all the evils alluded to. Under such circumstances, is this house to set their seal to a prejudice imbibed by the manufacturers, and no doubt originating from corrupt motives, that all the distresses which befel them have grown out of the bad policy of their own government. That not the least connection exists between the Orders in Council and the license trade; that the property of British subjects has no other means of admission into the continent of Europe, only under cover of neutrality; and in order to pursue a trade between enemies, it is necessary to grant neutral licenses, that a treasonable and unlawful intercourse may be prevented, and that neutrals may not be subjected to British seizure. That there is no available means, under the existing circumstances of Europe, by which England could have carried on a trade with the European continent, entirely pure and irreproachable; but to say that in consequence of the frauds practised on that trade, it ought to be entirely abandoned, betrays a vile hypocrisy. But admitting, for argument's sake, that a repeal of the Orders in Council had taken place, and that Americans, without interruption, had been permitted to carry the sugars of the Island of Cuba into France, and in return to carry back to South America the manufactures of Germany, while the French decrees were still in full operation upon the trade of Great

Britain, there would yet have been (as was remarked of the present system,) "forgery in the origin, and perjury and fraud in the conclusion of the transactions."

It was ridiculous to imagine from the policy of Buonaparte, that he was inimical to all trade; he undoubtedly was to British commerce, but as regarded that of his own, he seemed to have its interest very much at heart. That the government of the United States had coalesced with him not only in requiring the repeal of the Orders in Council, but also an entire abandonment of the system of blockade practised by Great Britain; it was therefore idle to think, that a repeal of the Orders in Council was sufficient to conciliate America. The principles upon which these orders were founded were entirely retaliatory, and as such were they described by Mr. Canning; it had however been deemed expedient on the part of Great Britain to mitigate them in favor of neutral nations which fully evinced the desire of the British government to confine the evil wholly to the enemy. The injury sustained by the neutral through the operations of the Orders in Council, where the principle of retaliation was closely adhered to, was merely incidental, and which could not be avoided and therefore became, on the side of the government of Great Britain, a matter of deep regret; but on whom had been forced the measures from which it resulted.

Persons who raised such strong objections to the principles of retaliation with an enemy, would have done well to have borne in mind that no other method is attainable, by which to enforce obedience to the law of nations Let a considerable power once presume to hold in contempt every principle of honor which the civilized nations of the world have hitherto held sacred, and to set at open defiance all law, by which nations have as yet suffered themselves to be governed, and to prosecute a war in violation of all this, how is it to be arrested in its mad career but by recurring to measures of

retaliation? A remark had been made, that, should Great Britain retaliate, it ought to be in that manner in which the enemy had inflicted the injury on her; how wild and extravagant would be such a mode of proceeding. If it were the choice of the enemy to violate the law of nations, in a case where his own risk was nothing, (as he had nothing to lose, at the same time we had every thing at stake,) will it be once pretended that we were bound to chastise him in a way in which he would not feel the consequences of his madness and folly? The very object for which the Orders in Council were issued was never intended to destroy the commerce of the continent of Europe, but to compel the continent to trade with Great Britain, and to ensure to Great Britain alone an exclusive right to that trade.

What a mode of reasoning was that which imputed to the Orders in Council all the embarrassments which have recently overtaken the commercial interests of the country, when it was incontestibly proved that for two or three years after these orders had been issued, an effect diametrically opposite to this had been the result, and when the commercial difficulties had evidently been traced to causes very different.

In reply to those who complained of the immoral tendency of the system of granting licenses, as exhibited in the form of the licenses themselves, it was observed that the very clause which had undergone such a severe censure had been framed by the previous administration, and that the present ministers in their offices found them prepared and digested by those very persons who now affected to be so much scandalized by the discovery. It was surely a childish idea to imagine for a moment, that the commercial interests of France felt no effect from the British Orders in Council; the impoverished state of her custom was a sufficient proof against such an opinion; if it were not, look to the tenor of an address from her senate to Buonaparte, where it was confessed that no

longer did the people of France enjoy a commerce, except what their canals afforded them; while it was fully and unequivocally admitted, that, in every respect, they labored under the most unparalleled commercial embarrassments.

That under no principle of reasoning was Great Britain under an obligation to suffer an arrogant power like France to prescribe laws to neutral nations, without making an effort to induce those neutrals to assert their rights; from which is plainly observable that the leading object of the famous Orders in Council, was, not only the chastisement of France for her insults, but to incite America to disentangle herself from a connection into which, in an evil hour, she had unhappily suffered herself to be involved, and to resume that situation of rank and independence which she had once held among the nations of the world.

Such are the outlines of those celebrated debates on the causes which led to the war with the United States, in both houses of parliament; the result of which was, that the motion introduced into the House of Lords, by the Marquis of Lansdowne, and that into the House of Commons, by Mr. Brougham, were negatived by a large majority.

CHAPTER VIII.

The United States Government appears, for a time, more amicable towards Great Britain—Suspicions, on the Part of the British Government, as regarded those Pretensions—Reasons for those Suspicions—Extravagant Demand of Buonaparte.

THE American government seemed, for a time, to exhibit a more amicable disposition towards Great Britain, partly, no doubt, in consequence of the increasing acts of plunder and piracy perpetrated by the French on their merchant vessels, under the favorite title of sequestration; and partly in consequence of the recent discoveries made of the impoverished state of the public finances.* Yet there was still much reason to doubt the sincerity of their proposals of pacification, but that

*The United States revenue is derived from two sources; the duties on importation, and the sale of public lands. The duties on importation, it was admitted, would be diminished by a war with Great Britain; but, even under such a deficit, they were estimated at six millions of dollars, while the sale of public lands would produce above half a million more. A deficiency, to the extent of two millions and a half in the general revenue, would thus arise; and to meet this, it was proposed that an addition of 50 per cent should be made to the duties now in existence. Such was the state of the American revenue, with a view even to the peace establishment; and it was the principle of the government of that nation, that the increased expenditure, occasioned by war, should be provided for by loans.

In the event of any farther deficiency, the duties on salt were to be restored, and a selection of "external taxes," as they were called, were recommended; and it was supposed that there would be no difficulty in raising the permanent revenue of the United States to nine millions of dollars per annum. The difficulty of raising the loans at home was, however, foreseen; nor did any chance of finding them abroad present itself; and the American minister of finance was aware that an interest far above that

it was merely an illusion to gain time for preparing measures for prosecuting a war with effect. It must be acknowledged that at the time there existed strong grounds for suspicion that the latter reason predominated; for while the United States government offered for consideration, to the ministers of Great Britain, under other modifications, the treaty which had been concluded by the plenipotentiaries of the two governments, in 1806, but refused to be ratified by Mr. Jefferson, that government was at the same time negotiating a loan of eleven millions of dollars for the services of the current year, with which to carry on the war. The circumstance, that the American government was fully aware that if the British government assented to that treaty in its present form, and at that period, she would have surrendered every pretension she then held forth, taken in connection with that of their treating for a loan for the use of the public service, was a full betrayal of the motives by which they were actuated. These grounds of suspicion were the more strengthened by bills which were introduced about the same time into the American legislature, estimating the loans of 1813 and '14 at eighteen millions of dollars for each year; and notwithstanding a strong opposition was made to such a measure, a measure which menaced the United States with an overwhelming debt, and of course an intolerable taxation for an indefinite length of time, yet so intent were they on war that it received the sanction of that body.

It was only a short time subsequent to the passing of the above estimates, that a bill of a very uncommon nature passed the legislature of that country. The bill in question provided, that any foreigner guilty of impressing American citizens on board of a foreign ship, should, when arrested, be tried and, if convicted, suffer

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allowed by law would be necessary to secure a regular supply of money, that the public service, in the event of war, might not be impeded.

death as a pirate. Now, the intention of this, as well as of many other bills which at that time received the sanction of the legislature of America, could not be misapprehended; in defiance of all their affectation towards a pacific disposition, the spirit which rankled in the bosom of that government was clearly evident; and every effort made by the British government to avert the impending hostilities, only seemed to widen the breach between the two countries.

However, it immediately became evident to Great Britain, from the course pursued by the French government about this time, that it was necessary she should make a full and positive declaration of the principles by which she should be governed, as regarded the new state of commercial hostilities into which the trade of the whole world had been drawn.

The French minister of foreign affairs, on the 10th of March, introduced into the conservative senate, an official report by which all doubt was henceforth removed, as regarded the manner in which the ruler of France was determined to persist in the prosecution of his wild and extravagant principles. The government of Great Britain, after this, lost no time in issuing a declaration, stating, that the novel and extraordinary principles to which the French government had recourse, had called for measures of retaliation on the part of England. His Majesty had always been desirous to exercise his undoubted right with as little injury as possible to neutrals, and had at all times professed his readiness to revoke the Orders in Council, so soon as the decrees of the enemy were fairly repealed, and the commerce of neutral nations restored to its accustomed course. The state of Europe, in the year 1809, had enabled His Majesty to reduce these benificent views to practice, and to confine the retaliatory measures to France and the countries on which the French yoke had been most strictly imposed; and His Majesty had readily availed himself of so favor-

able an opportunity for abridging the miseries of war. The government of the United States had still remained dissatisfied: it had been pretended by that government that the French decrees were revoked, although ample proofs of their existence at a recent period had been brought forward. The enemy had now, however, laid aside all dissimulation, and had declared that the ships of every power which refused to acknowledge his principles, were (to use the language of his own code,) denationalized. In addition to the disavowal of the blockade of 1806, and the repeal of the Orders in Council, he demanded the admission of the principle, that free ships should make free goods; that neutral property, in the hands of enemies should be treated as hostile; that arms and warlike stores alone, to the exclusion of ship-timber and other articles of naval equipment, should be regarded as contraband of war; and that no ports should be considered as lawfully blockaded, except such as were invested and besieged, in the presumption of their being taken, and into which no merchant ship could enter with safety.

The enemy thus demanded that the established law of nations should be overthrown, that Great Britain should forego the advantages of her naval superiority, and that her commerce should be excluded from every country of the world, to which the influence of France might extend. Acting on this principle, the enemy did not hesitate to incorporate, with his own dominions, all states which refused to sacrifice their national honor at his command. The provisions of the treaty of Utrecht, which were founded on a voluntary compact, were referred to as evidence of principles which were to be established by force; and thus had France departed from the very conditions on which the pretended repeal of her decrees had been accepted by America. It had therefore become the duty of America to relax the measures of severity, which, by misconception she had adopted towards Great Britain; and as a proof of the desire of the

British government to fulfil its engagements, it was declared that so soon as the Berlin and Milan decrees should be actually and unconditionally revoked, the British Orders in Council should be considered, without any farther declaration, as at an end; reserving, at the same time, to His Majesty, the most ample powers to re-establish any measures of this kind, should it afterwards appear that the repeal by the enemy had been illusory.

CHAPTER IX.

The Effect produced upon the public Mind in Consequence of the preceding Declaration—Lord Stanley moves, in the House of Commons, for a Consideration of the Petitions then on the table, respecting the Distresses—A Discovery of Henry's pretended secret Mission to Boston made to Congress in a Message from the President—That Subject undergoes a partial Investigation.

NOTWITHSTANDING such a display of magnanimity and justice on the part of Great Britain, as was exhibited in the foregoing declaration, even in England, it was looked upon, by those hostile to the Orders in Council, in no other light than as an official answer to the petitions then before parliament, complaining of the disastrous effect which had been produced by the operation of these orders. In pursuance of such a supposition, Lord Stanley availed himself of the earliest opportunity, after the promulgation of this declaration on the part of His Majesty's government, to introduce into the House of Commons, a motion that the house should resolve itself into a committee of the whole, in order to take those petitions into consideration. This motion was sustained by arguments differing but little in tenor from those adduced on a former occasion, the substance of which is contained in the preceding chapters, except in a very few instances. As regarded the declaration itself, it was maintained that the measures of the French government were neither new nor extraordinary bu had, in principle, been adopted, although with less rigor, by the British government, in the years 1739 and 1756; and were actually such, as all independent states had a right to pursue. The measures of the French government had proved wholly impotent, till they were supported by the retaliatory system to which the British government had recourse. The petitions on the table

concurred in attributing the distresses of the country to the Orders in Council; yet the declaration lately issued had announced the determination of government to adhere to its principles, regardless of the general calamity which prevailed in every district of the country. This resolution reduced the measures of the British government, and the prosperity of British commerce, to a dependence on the will of the enemy; and although it had become impossible to obtain employment for the lower orders, and the price of provision was rapidly advancing, there seemed to be no prospect of redress.

Mr. Rose, in reply to this view of the subject, said, "that if British goods were found on board of an American ship trading between America and China, by the Berlin Decree, they must be forfeited; and that it was absurd, therefore to talk of the decree as a mere municipal regulation. Although the Berlin Decree had been in a great measure inoperative until the peace of Tilsit, because the enemy had not till that period the means of enforcing it, yet immediately afterwards, the French had marched their troops into all parts of the continent, for the purpose of carrying their system into effect; and the consequences had been immediately felt in the extreme depression of the commerce of this country. In the event of a repeal of the Orders in Council, in the existing state of Europe, the ports of France would then be open to American commerce, and by which means the enemy would be easily supplied with the raw materials, and thereby enabled to manufacture them and compete with England directly in the market of South America, and in every other place to which her precarious trade might extend. The falling off in the direct trade of this country to America had been in a great measure compensated by the increase of our exports to other countries, to which the same commodities had formerly been carried in American ships. Of the exports of America, amounting annually to forty-five millions of dollars, thirty-eight of which went to Great Britain and

her allies, and only two millions to France and her dependencies, whose friendship the government of America seemed so anxious to cultivate. But there was no necessity for a protracted debate; the distresses of the country were unquestionably great; the people seemed to look to the Orders in Council as a source of relief; and in such circumstances the ministers did not think of resisting inquiry, but gave their consent to the motion for appointing a committee."

A very extraordinary occurrence transpired about this crisis. It was communicated to the congress of the United States, in a message from the president, that, "While the United States were at peace with Great Britain, a secret agent of the British government had been employed in certain states, more especially at the seat of government of Massachusetts, in fomenting disaffection to the constituted authorities of the country, for the purpose of seducing the southern part of the Union into a political connection with Great Britain."

In delivering the message to Congress, containing this charge against the British government, the president accompanied it with certain papers purporting to be communications between a person of the name of Henry, the secret agent alluded to, and certain officers of His Majesty's government. Henry, in his communication to Mr. Munroe, the United States secretary, on the subject, pretended to have been employed by officers of the highest authority under the British government, and under the sanction of the British cabinet, for the express purposes stated in the president's message; and in consequence of the refusal of the British government to allow him a reward commensurate with the nature of the services on which he said he had been employed, he expressed the strongest feelings of disappointment and of revenge toward the government, by whose servants he pretended to have been employed. The first of Henry's papers alluded to, purported to be a letter

from the private secretary of Sir James Craig, then governor in chief of Canada, &c., from Quebec, dated January, 1809, enquiring whether he [Henry] would engage in a secret embassy to Boston. The second purported to be the instructions of Sir James Craig to Henry, directing him to form an acquaintance with some of the leading Federalists in the southern states, to ascertain what they conceived of a separation from the Union, and how, in such an event, they would be disposed to avail themselves of the aid of the British government to promote their views. The next of these papers produced, was a memorial to Lord Liverpool, in which Henry expatiated largely on the important services which he said he had rendered to Great Britain, while on his mission to the United States; that through the influence alone which he had exercised over the governor and legislative assemblies of Connecticut and Massachusetts, the public acts of those bodies had greatly repressed the hostile disposition of the United States government against Great Britain. The envelope enclosing this memorial was a letter to Mr. Peel, from Henry, claiming a large reward for the services performed on his mission. The next in succession was a letter from Mr. Peel, purporting to be written at the request of Lord Liverpool, stating that, as the opinion of Sir James Craig, respecitng the merits and services alluded to in the memorial, had not been received, and as no wish had been expressed by Sir James that the claim should be preferred to this country, it has been determined to transmit the memorial to Sir James Craig's successor in the government of North America. There were other papers of the correspondence, but the slight importance of which do not entitle them to notice.

No sooner did the news of this arrive in England, than a motion was brought forward in the House of Peers, by Lord Holland, that copies of the whole correspondence connected with the pretended mission of Henry should be laid on the table of that house. "The grounds

upon which this motion was founded," said Lord Holland, "were obvious: a serious charge, affecting the honor of Great Britain, had been made by the United States government, and it was proper to have it investigated. The British ministers had been charged, not merely with employing Henry to procure and communicate intelligence on subjects which might be lawfully inquired into, but to induce some of the states of the Union to cast off their allegiance to their lawful government. What would have been the public feeling in England, or the conduct of the government, if, while Andreossi were here during the peace of Amiens, he had been detected carrying on a secret intercourse with the malcontents of Ireland. Who would have hesitated, if such an event had occurred, to have advised immediate hostilities, unless a satisfactory explanation had been immediately offered? And what bounds should we set to our resentment against those who had dared to insult the honor, and to intrigue against the peace of the country. It could afford no matter of defence for the conduct of Sir James Craig, or of the government, (if indeed the government had been accessary to these proceedings,) that the American government had been making preparations to invade Canada; for although such a state of things warranted Sir James in taking all proper means for defence, and in doing every thing to secure the most correct information, yet it by no means entitled him to attempt the seduction of the American people from their allegiance."

Lord Liverpool's reply to the foregoing was a full and complete defence of the British Cabinet from the accusations which had been thus so unbecomingly preferred against them by the government of the United States. In the course of his Lordship's speech he went on to state, that the employment of Henry, by Sir James Craig, had not been authorised by government; nor was it even known at home that such a person was employed, till many months after the transactions were

concluded. It was necessary, however, to attend to the situation in which Canada was at that time placed, with respect to the government of the United States. In consequence of the embargo act, great heat and clamor prevailed in America at that time; that country assumed a very warlike and menacing attitude; not only were defensive measures adopted, but on the 25th to November the governor of Massachusetts received orders to hold 10,000 men in readiness to march at a moment's notice, a circumstance which was quite notorious, and frequently mentioned in the public journals of the day. This army could have but one solitary object, the invasion of Canada; and such, accordingly, was the impression made on the mind of Sir James Craig, which many other circumstances, and particularly the sudden enrolment of 50,000 volunteers by the government of the United States, tended to confirm. Mr. Erskine, the minister then resident in America, had also entertained the same suspicions, and had sent an express to Sir James Craig, informing him that Canada or Halifax was to be immediately attacked. Such were the circumstances in which Sir James Craig was placed, at a moment too, when the separation of some of the states, in the event of a war, had become the subject of general speculation. Sir James had already received communications from Henry, a person who professed to be well acquainted with the sentiments of the people of the southern states; and whatever falsehoods and exaggerations might have been industriously propagated, the object of the governor of Canada, in sending Henry into the United States, was not to excite discontent, but to obtain information, which, in the event of a war, might have enabled him to avail himself of the prevalent temper and disposition of the people in these states.

As a proof that the instructions of the governor, (such as they were,) had reference only to a state of hostilities, no sooner did Sir James Craig learn that the points in discussion had been adjusted, than he sent orders to

Henry to return. Ministers had been more anxious to caution Sir James against the employment of individuals who might disturb the harmony subsisting between Great Britain and America; and the motives for recommending Henry for a reward were entirely dictated by a wish to make him a fair remuneration for his services, wit' out intimating any opinion as to the policy of the mission with which he had been entrusted.

After all, at the close of this discussion, both parties were decidedly agreed that the conduct of the U. States President (to say the least of it,) was highly unbecoming and indelicate, to lay the papers before oongress, posse.sing the uery limited inforffiation on the subject which he did at the time, without ever requiring an explanation, or in the least apprizing the British government of his intention; it was therefore said, as no shadow of reason existed for charging the British government with such a mode of proceeding as that mentioned in the American president's message, parliament snould reject at once any motion for interference on the subject; and as the accusation was prepared against ministers, to leave the ministers alone to manage it. The motion was rejected by a large majority.

CHAPTER X.

America evinces a still more hostile Attitude towards Great Britain—Letters of Marque and Reprisal issued by the American Government against British Property—Movement of a strong American Force towards Detroit; Perfidy of the French Government more manifest—The Repeal of the Orders in Council again considered.

THE United States government now began to exhibit that warlike disposition towards Great Britain, which had previously indicated itself in so many different ways, with much more violence than hitherto; and it was obvious that the final declaration of hostilities was close at hand; though it was evident that a degree of hesitation and fear was the only existing barrier against this last act of folly and madness. A resolution was presented to Congress, to seize all British merchandize in the United States; to detain all subjects of his Britannic majesty, and to grant letters of Marque and reprisal against British property in general; and it still became a matter of less doubt that these hostile measures of the government of America were but the precursor of resolutions of a more determined cast.

The next act of the American government was to station an army of eight thousand men at Detroit, under the command of a general. The purpose for which it was intended, namely, the conquest of Canada, was no longer made a secret. Many respectable towns and corporate bodies, who had an interest in preserving peace with Great Britain, remonstrated strongly against this last measure; which probably aided not a little to subdue, for a time, the ardent desire so plainly expressed by Mr. Madison and his partizans to accellerate the war.

During these hostile preparations on the part of America, a circumstance transpired which exhibited the political perfidy of the French government towards that of the United States, in bold relief; and if America had not been actuated by other motives than those which she had labored so assiduously to palm upon the world as the main spring of her actions, it would have completely changed the tenor of her policy towards England.

Despatches were received from Paris, by the United States minister in London, amongst which was the repeal of the Berlin and Milan decrees by the French ruler, as far as related to the commerce of America; and however such a breach of faith might shock the feelings of an honest mind, this revocation, notwithstanding it was not received until May, 1812, was dated as far back as April, 1811. That the declaration of the British government, holding forth that as soon as the French decrees should be rescinded unconditionally, the British Orders in Council should from that moment be extinct, was the means of extorting the French repeal, there remained not the slightest shadow of a doubt; and in order to cover the deceit, antedated the repeal to 1811. For two years prior to this period had the French government refused, in the most insulting manner, any explanation on the subject of her decrees, or of their repeal towards America; although, during that whole time, America, on her part, had been negotiating on the subject; and, strange to tell, Buonaparte now, in May, 1812, comes forward with his abrogation of those decrees, antedated no less than thirteen months, and even having reference to 1810, a period of two years previous to its promulgation, when he pretended to have rescinded those decrees as far as America was concerned. Such a glaring insult on the honor and faith of nations was probably never offered by one government to another, and would not, perhaps, have been received by any

other government than that of the United states, at that time—an opinion at which the president appears obliquely to have glanced.*

After closing a career of the most unwearied and assiduous inquiries into the Orders in Council, by the committee appointed for that purpose, Mr. Brougham, the original mover for inquiry into these orders, moved a second time that these orders should be repealed. Nothing new was adduced in argument on the subject, as in the previous debate all general topics had been exhausted, if we except the disclosures made in the late tedious investigation which was now presented to undergo the consideration of the House of Commons. Mr. Brougham, however, in moving the repeal, made an elaborate speech; he went on to state, that the Orders in Council had always been defended on the supposed necessity of affording relief to the commerce and industry of the country; yet the people had now come to implore parliament to abandon them to the hostilities, and spare them the merciless kindness under which they were groaning. Upon the vote of the House the destiny of thousands depended; and if the legislature should say *no* to the petitions against the Orders in Council, multitudes of hungry men must be let loose upon the country, who would either find food or perish. Commercial capital had been universally locked up; men of great nominal wealth were living without income, trading, or seeming to trade, without

*Our affairs with France retain the posture which they held at my last communications to you. Notwithstanding the authorised expectation of an early as well as favorable issue to the discussions on foot, these have been procrastinated to the latest date. The only intervening occurrence meriting attention, is the promulgation of a French decree purporting to be a definitive repeal of the Berlin and Milan decrees. This proceeding, althogh made the ground work of the British Orders in Council, is rendered, by the time and manner of it, liable to many objections.

President's Message, 4th Nov. 1812.

profit; numbers of workmen had been dismissed—those who remained were earning only the half or quarter of their wages; even parish rates were increasing, charitable supplies failing, from the reduced means of the higher classes, and the augmented claims on their bounty. But the most prominent feature in this case, was the impending necessity of instantaneously disbanding those, who were now detained only in the hopes of a favorable decision of parliament.

The Orders in Council had an operation in producing distress, much more enlarged than many persons were willing to believe; the army in the Peninsula was fed from America; the embargo in that country had raised the price of flour in the Lisbon market above fifty per cent; and had occasioned, in one morning, an export from London of six thousand barrels to supply the Portuguese market. No attempt had been made by the supporters of the Orders in Council, to meet the evidence which so fully established the distresses of the country; that they had contented themselves with a reference to the custom-house books—a criterion that might be resorted to, when no better evidence could be had, but which is always suspicious, and, in the present instance, had been superceded by the most melancholy disclosures. But even the custom-house books indicated a great and unexampled depression of trade. Nor was there any reason for believing that, for the loss of the trade of the United States, compensation had been obtained in other quarters, since the custom-house books themselves exhibited a general falling off of the trade of the whole country. The market of South America, instead of having increased the valuable commerce of the country, had introduced a spirit of speculation which had brought ruin on all those who had ventured to indulge in it. It was a great fallacy to suppose that any considerable proportion of the goods imported into the United States from Great Britain, was re-exported to South America and the West Indies, since it had been proved by a respec-

table witness before the committee that the re-exportation never exceeded one-thirteenth of the whole value; and, of course, that the losses of the trade to North America had not, in any way, been compensated by the supposed increase in the commerce carried on to the other parts of the world, the trade of which, we should at any rate have been able to command.

The home market had also suffered severely by the glut occasioned in all those articles which had formerly been destined for exportation; and that even of the home trade which still remained, the greatest part depended on the extravagant demands of that great and unprofitable consumer, the government. The repeal of the Orders in Council, so far from being injurious to the stability of our maritime rights, and of the naval power which protects them, seemed essential to their preservation. The paper blockades, as they were called, were contrary to law, and had never been recognised in any of the courts. Although the Orders in Council were repealed, and although England were to relinquish for the present the rights on which they are founded, it would not follow that she could never again enforce them.

At the peace of Utrecht, after a war of unexampled success, and a series of uninterrupted triumphs, in which the power of England was extended and confirmed, and France and her allies humbled to the dust, we gave up for a time, the principle that free ships should not make free goods; and during the American war, we relinquished what is called the rule of the war, 1756, yet without ultimately abandoning either of these principles. Every right may be abandoned for the sake of expediency, and resumed when this reason ceases. The loss which was sustained by the obstinate exercise of this right, in the present instance, was enormous; and that the American market was at stake—a market which takes off about thirteen millions of our manufac-

tures, and in steadiness and regularity is unrivalled. By refusing to the Americans the market of England from which to purchase, we were driving them to supply themselves; and there was no branch of their commerce which had not now, to a certain degree, been improved; many branches of their manufactures had been created since 1807, and all were rapidly springing up to maturity. The dread of losing a market, such as that of America, was quite rational, while the fear entertained by the supporters of the Orders in Council, that the capital, industry and skill of England might be outdone by France, was altogether contemptible. There was no danger of any loss of honor by seeking to conciliate America; that Great Britain never stood so high as she now did, in point of military character; that she had it in abundance, and even to spare; that the events of the war had not merely sustained the ancient fame of the nation—they had done what seemed scarcely possible—they had greatly increased it; they had covered the British arms with immortal renown; and the government was bound to profit by the proud height on which Great Britain stood, for the purposes of peace and conciliation with America.

CHAPTER XI.

Discussions on the Orders in Council continued—Repeal of the Orders in Council officially promulgated under certain Conditions—Re-election of Mr. Madison as United States President.

PRIOR to this period, the British government had determined upon some arrangement, on this subject, which would, at all events, impart tranquility, if not relief to the country from the distresses under which they suffered, and would at the same time evince the desire of ministers to accomplish that great object so ardently sought after. It was thought, therefore, unnecessary to enter into an enlarged debate on the merits of the question; a debate, which under existing circumstances would certainly have been superfluous; however, before going into any explanation in the House, as to the features of the arrangements in contemplation, Lord Castlereagh deemed it necessary, after so much had been said, to defend the principles upon which the Orders in Council had originally been established. He said "on such an important subject, he felt anxious to offer to the House the reasons which appeared to him conclusive against the address. He lamented the precipitation of the honorable and learned gentlemen in bringing forward this motion; a precipitation injurious to his own cause. This was the more to be regretted, as the evidence went to such a great extent. He was sorry that the honorable and learned gentleman, even for the sake of his own character, should have so much departed from all parliamentary practice, and should have pressed to a hasty discussion a subject, than which one more vital never came before parliament. He deprecated any interference, on the part of the House, in a question of great national importance,

involving unquestionably commercial considerations of the most serious nature, but mixed up also with considerations of maritime right.

It was certainly not out of the absolute province of parliament to interfere on such an occasion; but it had always been extremely averse, pending a negotiation on a delicate subject, to dictate to the executive government the course which it ought to pursue. He admitted that the honorable and learned gentleman had made out a grave case of national distress, as affecting the manufactures of the country. Nay, he further admitted that there existed a reasonable ground to believe, that if the American market was not opened within a limited period, the pressure would be increased. But, notwithstanding this admission, it is to be hoped that honorable members will not permit their imaginations to stray so widely with his learned and honorable friend, as to conceive that the general commerce and manufactures of the empire were in a state of decay and perishment. He felt acutely for the distresses, and he declared that he had never met with more fair and liberal men than the individuals sent by those manufacturers to represent their case to parliament. He conceded to the honorable and learned gentleman, that if Great Britain repealed her Orders in Council, America might be disposed to abrogate her non-importation act; but he contended that, on a retrospect of the past, he was by no means prepared to say that it would have been wise to have kept possession of the American market, by abstaining from those measures; an abstinence which would have exposed the commerce of this country to all the evils with which it had been threatened by France. In justice, however, Great Britain ought to have retained possession of the American market, notwithstanding the system which she had adopted towards France—a system which he admitted was not justifiable on principles of commercial policy, but which was most completely justifiable on the principle in which it originated, namely,

the principle of coercing France, and driving her from the system of misrule which she had so extensively exercised. As directed against France, this system had obtained its object to a letter. Never was a country more commercially depressed than France. By the official documents of the French government, it appeared, that the whole extent of the manufactures and produce of that country, with her population of thirty-six millions, consumed internally as well as exported, did not equal the simple exports of other nations. In the year before last, they did not exceed £54,000,000 sterling, while ours amounted to £66,000,000. Never, therefore, would he cease to contend, that the system of his late right honorable friend originated as much in wisdom as in justice. Even with the loss of the American market, (which he maintained we ought not to have lost,) let the House compare the situation in which the British empire was, with that in which it might have been, but for the Orders in Council. This country (with the exception of the last year, the deficiency of which was occasioned by temporary causes,) exhibited to the world a spectacle of a nation struggling amidst the efforts of war, and rising in wealth and commercial prosperity and grandeur. Indeed, a great part of the deficiency of the last year was occasioned by the preceding extraordinary and unnatural prosperity.

With that exception, the commerce of the country, all but that which related to America, had increased in an accumulating ratio, beyond what it had ever been in times of peace. And even in continental Europe, our commerce, notwithstanding the efforts of the scourge of the continent, had grown to a considerable extent, particularly since the issuing of the Orders in Council.

The average of our annual exports to the Continent, during the three years preceding the Orders in Council, was £17,000,000. The annual average of the three years subsequent to the Orders in Council, was £23,000,000,

being an increase of six millions annually. Even the exports to America, prior to the last year, so far from decaying, had considerably increased. The average of the annual exports to America, including the West Indies, during the three years immediately preceding the last year, [1811,] was £22,000,000; the annual average, during the three years preceding those three years, was only £19,500,000.

The present distress of those manufacturing districts most connected with America, was in a great degree attributable to the benevolent feelings of the master manufacturers, who had expended their fortunes in keeping their men employed on the same scale during the last year as they had done during the three years preceding. He had always denied that the present system was adopted from any unworthy motive of national gain. It rested on the firm ground of national defence. It rested on the principle, that as the enemy wielded his utmost extent of power against the prosperity of the British empire, we had a right to wield the utmost extent of our power against the prosperity of France. He stated it in vindication of the character of the country and of the government, that no councils had ever been more honorably and faithfully directed to apply the system of retaliation successfully to the enemy, but in a way as little obnoxious as possible to the neutral. Various had been the modifications resorted to for this latter purpose; and particularly the order of 1809 limited the blockade to France and the countries immediately under the power of her arms.

Adverting to the system of licenses, he maintained that the honorable and learned gentleman had fallen into a great error on the subject. The licenses connected with the system of blockade, did not form a fifth of the license system of the country. We had a right, by our licenses, to avail ourselves of the relief which the enemy required; and we had never done this to the injury of

neutrals, who had enjoyed as much facility in sailing from our ports as our own merchant vessels. But it was not with the license system that America quarrelled. We had expressed our readiness to return, if America wished it, to the strict measure of 1807, provided she rescinded the act prohibitory of our commerce.

He was anxious to call the attention of the House to some circumstances which had occurred since the last discussions on the subject, and since the issuing the Prince Regent's proclamation in April. It had been asked in that House, in what way he understood the French decree recently communicated to government by the American minister? He had no hesitation in replying that, in his opinion, it by no means satisfied the regent's declaration, which required the unqualified and unconditional repeal of the Berlin and Milan decrees, as the condition of rescinding the Orders in Council. The day on which he had received that decree, was the very day on which the House of Commons had been pleased, by its vote, virtually to dissolve the administration; and therefore it was not until the last three or four days, that the present government, considering themselves as a government, had deliberated upon the subject. On the face of this instrument, however, he had no difficulty in repeating that it appeared insufficient, and was accompanied with circumstances of great distrust and suspicion. It was difficult also to say, whether this decree had not been completely revoked by the sweeping declaration of the Duke of Bassano, that the Berlin and Milan decrees would remain in full force until the maritime assumptions of this country should be abandoned. There, therefore, must exist considerable doubts on the subject. Nevertheless, it might not be unwise to put the country in a situation to receive explanations upon it.

If the American government should be found disposed to make representations to France, to induce her to satisfy

the just expectations contained in His Royal Highness the Prince Regent's Proclamation, Great Britain would be disposed to consent to the suspension, for a limited period, of the restrictive system of both countries; or, in other words, she would consent to suspend the Orders in Council, if America would consent to suspend her non-importation act. The experiment might then be tried of the practicability of restoring things to their ancient system. If by an act of temper and conciliation, not incompatible with the safety of the country, an inducement could be held out to France, in the paroxysm of her power, to return to that system, a departure from which, had been destructive of her own commerce, it would be an act redounding to our honor. Should the event be favorable, the advantage would be great to all parties. Should it be unfavorable, we must return to our present retaliatory system, if this effort on our part were not met with a correspondent feeling on the part of America, opportunities would be afforded, in the absence of irritation, of fairly considering those circumstances which might restore and cement that friendship which ought always to be maintained between the two countries; and which it was the curse of both had ever been interrupted.

If, by the fatal perseverance of France, Great Britain should be driven to re-adopt her retaliatory system, means might be adopted, without endangering its efficacy against the enemy, of rendering it less obnoxious to America. He concurred with the honorable and learned gentleman, that it would be a most unworthy and unwise policy in this country, to allow itself to be provoked by the irritation which America had evinced. Was it not the part of a great empire like Great Britain to adopt a conciliatory course of conduct towards America, even at the time when her tone (although he trusted it would not lead to absolute war,) sufficiently marked the hostile disposition of her councils? Although he did not wish to be too sanguine as to the result of his experiment, yet, persuaded as he was that there had been

moments of such great inconvenience to France, that had she not cherished hopes of final success from the occurrence of certain circumstances in this country, she would willingly have abandoned her projects, he could not help entertaining an expectation that she might be induced to return to the ancient system. Under all these circumstances, he trusted the House would not consent to the address He would content himself with moving the order of the day. Were the documents illustrative of the negotiation between this country and America on the table, he should call for a distinct negative to the motion; but as they were not, so he did not wish to extract from the House any vote which would imply their approbation of the conduct of His Majesty's gov ernment in that negotiation.

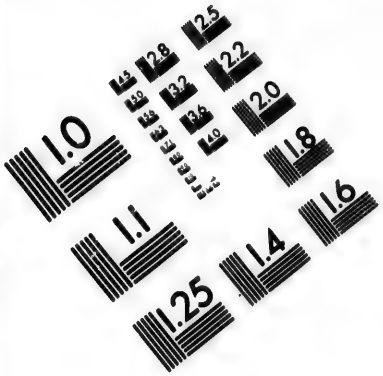
On account of the information contained in the preceding speech delivered by Lord Castlereah, the motion for rescinding the Orders in Council was withdrawn, on condition that in the next Gazette an official instrument on the subject should make its appearance.

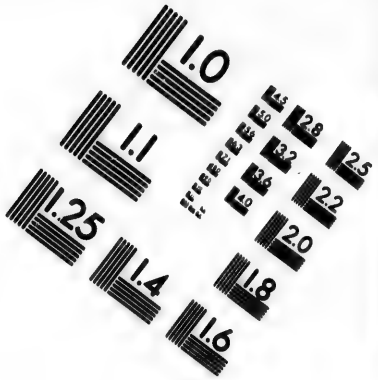
In the next Gazette, according to promise, appeared the instrument alluded to, which went on to state that, by a previous declaration of the 1st of April, 1812, the repeal of the Orders in Council should take place so soon as a formal revocation of the French decrees was announced; that a communication had been made by the American charge des affairs to Lord Castlereah, of a copy of the alleged instrument of repeal by the French government; and although this revocation was not such as to satisfy the conditions required by His Royal Highness, the Prince Regent's declaration, yet as Great Britain was anxious to replace on its ancient basis the commerce of neutral nations, the Orders in Council of 7th January, 1807, and of 26th April, 1809, were therefore suspended as far as regarded American property, from the 1st of August following

But in consequence of the exclusion of British ships of war from the ports and harbors of the United States, while those of her enemy were freely admitted, and as all commercial intercourse between Great Britain and the United States of America was prohibited by the latter, while she pursued a trade with France and her dependencies, so far as the effects of the British Orders in Council could be eluded—it was declared that if the American government should not, after the regular communication of this document, alter its policy, then the repeal of the Orders in Council should not take effect. It was likewise provided in the same document, that all seizures of American vessels and property subsequent to the date of the communication relative to the repeal of the French decrees, should not be condemned; and it was expressly reserved on the part of the British government, should circumstances require such a procedure, a revival of the Orders in Council and the adoption of such other measures of retaliation as the security of British commerce and of her maritime rights should appear from time to time to demand.

Such was the conciliatory conduct of the British government towards that of the United States, that the Orders in Council, which were undoubtedly of the greatest political importance to that country under existing circumstances, were in a great measure abandoned; and notwithstanding, it was the general impression amongst the most enlightened part of community, that the desires of America were unbounded, so would also her demands be unbounded; and that, at each succeeding concession on the part of the British government, the demands of America would become doubly imperious; yet it was expedient to manifest to those who were of the opinion that the Orders in Council were the sole cause of the commercial distresses of the country, an anxiety to go as far as the honor of the British nation and the security of her maritime rights would permit, to purchase their relief, or at least to tran-

tranquilize their minds on the subject. It was strongly suspected too, that as regarded the non-importation act of the United States upon British commerce, that America would not be disposed to concede an inch of ground; although, on the other hand, it was thought that the repeal of the Orders in Council, to which America had as yet prineipally confined herself, would be but a prelude to claims of a more extraordinary nature, as America evidently was but a tool in the hands of the ruler of France for that purpose. However, it was the wish of all parties to make a fair trial; as the refusal of America to meet Great Britain upon honorable terms, would virtually of itself render the repeal of the Orders in Council invalid. Mr. Madison [illegible] by this time secured for four years longer the presidential chair, and the faction of which he was the head, had so far predominated over the more sensible part of that country, as to obtain the ends for which they so long and so ardently sought.





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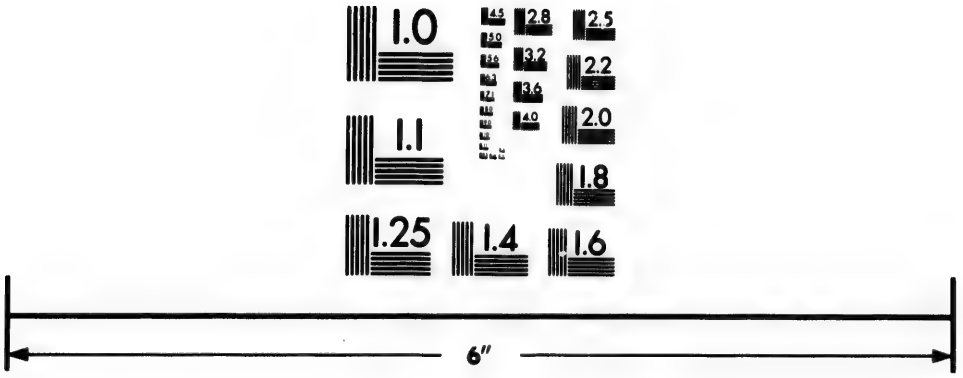

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CHAPTER XII.

Declaration of War against Great Britain by the Government of the United States—Extract from the President's Message, approving of the Measure—Several State Legislatures remonstrate against it—Means employed by the Governor in Chief of Canada for the Defence of the Provinces under his Command.

WHILE the government and people of England were anxiously looking forward to the pacific effect the repeal of the Orders in Council would have on America, notwithstanding the unfavourable predictions to the contrary, the news arrived that the President had approved of an act of congress formally declaring war against Great Britain. This act had been preceded by a most inflammatory message from the President, in which the British government was accused of numberless atrocities against the U. States; that since the year 1803, says that message, has that government persisted in a series of acts hostile to the U. States, as an independent nation. It declared, that British cruisers had violated the honor of the American flag, and seized persons sailing under it; that the seizure even of *British subjects*, without trial or inquiry, was contrary to the law of nations. That British citizens had violated the rights and the peace of the American coast; and that the blood of American citizens had been wantonly spilt in the very harbors of the United States; and instead of punishment, the highest rewards had been bestowed by the British government on the persons who had committed such atrocities. That by means of a nominal blockade, without the presence of an adequate force, the commerce of America had been plundered on every sea; that the orders issued by the British government had been tyrannically executed from their date, and before American vessels could be aware of their existence; and that Great Britain had at length resorted

to a sweeping system, under the name of Orders in Council, which had been so contrived as to suit the political views and commercial jealousies of England, and satisfy the avidity of her citizens. That the pretence of retaliation which had been used in defence of these orders, was altogether groundless; that edicts executed against American property, could not be a retaliation on those decrees of France, which it was manifestly impossible to execute; and that retaliation, to be just, should fall only on the guilty. That the government of Great Britain had recently declared its determination to insist on these measures until the markets of its enemy should be laid open to British commerce; that England had demanded a formality in the revocation of the French decrees, by no means exemplified even by her own usage; and had declared that she would not rest satisfied with the repeal of the decrees, merely as they affected America, unless they were wholly and unconditionally revoked.

It proceeded to state, that the object of the measures adopted by England, had not been so much to destroy the resources of her enemies as to confirm her own monopoly; and although every effort had been tried by the United States to obtain an alteration of this iniquitous system—although an offer had been made to interrupt all commercial intercourse with France so long as she persevered in her injustice, yet the British government had been deaf to every remonstrance. That in the year 1810, the American minister in London had offered to the British government a fair opportunity for conciliation; that he merely requested to know, whether the British blockade of 1806 was still considered in force; and as this measure had afforded the pretence for the decree of the French government, it was expected that the disavowal of it, by Great Britain, would have immediately led to the rescinding of the French edicts, and the restoration of neutral commerce; but the British government had persisted in refusing all explanation.

That a fair prospect appeared again to present itself for the adjustment of all differences; but the acts of the British minister in America, who might have accomplished this desirable object, were all disavowed by his government; and at the very moment when these amicable proceedings were going forward, a secret agent of Great Britain was employed to cherish disaffection in the citizens of the United States, and to dissolve the happy Union.

Mr. Madison, in the plenitude of his malignant vituperation, ventured to charge the British government, though only as matter of suspicion, of inciting the Indian nations to carry on their atrocious warfare against the people of the United States.

"We perceive, in fine," proceeds Mr Madison, "*on the side of Great Britain, a state of war towards the United States; and, on the side of the United States, a state of peace towards Great Britain.*"

Such was the lofty tone of recital contained in this American state paper, of the *aggressions* and *atrocities* committed by Great Britain. But as regarded France, and the conduct of her ruler, what was the President's language? He admitted, in a brief paragraph at the end of the message, that the most atrocious violation of neutral rights had been committed by order of the French government, against the citizens of the United States; but although he was ready to recommend, in the most emphatic terms, a declaration of war against Great Britain, he merely hinted that he hoped an amicable adjustment might yet be effected with her enemies, who had carried the spirit of outrage to such extremities.

But the President's message did not convey the sentiments of the whole Union by any means; nor is it to be believed that whole states did not dissent from such a

tirade of falsehoods.* We are warranted indeed in believing the latter supposition to be the case, from the language breathed in the declaration of the general assembly of the state of Connecticut, at their special session on the 25th August, 1812, and that of the

*1st. RESOLVED, That the war with Great Britain, in which, the present administration has plunged the United States, was inexpedient, ill timed and most dangerously impolitic...sacrificing at once countless blessings, and incurring all the hazards and losses, of men and treasure, necessarily resulting from a contest with a nation possessing so many means to annoy and distress us.

2d. RESOLVED, That, as the war was improvidently commenced, so has the conduct of it proved wasteful and disastrous. The administration being evidently chargeable with the multiplied disasters which have attended our arms, and consigned to captivity or death so many thousands of brave men, without the attainment of a single object.

3d. RESOLVED, That we view with inexpressible concern the course of that destructive policy which leads to a connexion with the military despotism of France; and if it should so happen, as our fears suggest, that a convention or confederacy with that power either exists or is intended, we do not hesitate to declare, that such an event will be considered by us more dangerous than the war itself and as tending, in its consequences, to a dissolution of the United States.

6th, Lastly, RESOLVED, That finding in the answer of the President of the United States, to a proposed armistice, that the principal object of the war is to obtain redress against the British practice of impressment...and finding, further, in an answer from the British Government, to another proposed armistice, that their claim does not extend beyond what it calls its ancient and accustomed practice of impressing British seamen from the merchant vessels of a foreign state...we do hereby declare our solemn conviction, that a war, at the expence of American blood and treasure, to protect British subjects on the high seas from their due allegiance to their country, would be unjust; and that the abuse of this practice, in regard to American seamen, may be guarded against by an arrangement between the two governments; and therefore that a negotiation for a treaty of peace should be immediately opened.

Extracts from the Declaration of the general Assembley of the Legislature of the State of New Jersey, 1812.

legislature of Maryland on the, 24th of December of the same year, which are fully corroborated by the declarations of the legislatures and messages of governors of several other states of that nation.

The legislature of Connecticut proceeds to state, that the aggressions of both nations ought to have been met at the outset by a system of defensive protection commensurate to our means, and adapted to the crisis. That other councils prevailed, and that system of commercial restrictions which before had distressed the people of Europe, was extended to our country. That we became parties to the continental system of the French emperor. That whatever its pressure may have been elsewhere, on our citizens it had operated with intolerable severity and hardship.

That in the midst of these sufferings war is declared, and that nation of the two is selected for a foe which is capable of inflicting the greatest injury. And that in this selection we view with the deepest solicitude a tendency to entangle us in an alliance with a nation whose ruler has subverted every republic in Europe, and whose connections, wherever formed, have been fatal to civil liberty.

That of the operation of his decrees on American commerce, it is not necessary here to remark, that the repeal of them, [the French decrees,] promulgated in this country since the declaration of war, virtually declares that the American government was not to be trusted. Insult is thus added to injury.*

That should a continuance of this war exclude our seafaring and mercantile citizens from the use of the ocean, and our invaluable institutions be sacrificed by

*See also the note under page 79.

an alliance with the French despot, the measure of our degradation and wretchednes would be full.

The accusations, however, contained in the President's message formed the ground work on which the United States legislature declared war against Great Britain; and such was the astonishment of the government and people of England that they were for a time before they could persuade themselves that the United States were in earnest in the hazardous enterprize they had undertaken, as no conduct of the British government towards that country could have prompted them to such a rash and desperate step. The causes of the war so, emphatically insisted on in the President's message, as now appear, were ridiculous and absurd; complaints, some of which were only imaginary, and the rest had been redressed, accusations which had long been refuted and a thousand and one other things, if possible, still more absurd and preposterous, were all laid under contribution for the service of this manifesto of Mr. Madison's, in order to meet the views and feelings of the turbulent faction by whom he had been once more raised to the head of the government.

A curious circumstance is also connected with the declaration of war by the United States, which probably tended more to exhibit the entire dependence under which the acts of America government lay to those of the French ruler, and to shew the extreme partiality of America towards France, than any other circumstance which transpired.

Immediately after the communication of the French minister, declaring the principles of the French decrees to form the fundamental law of the empire, followed the declaration of war by the United States. Whether, therefore, Great Britain considered the pretensions set up and avowed by the American government, or the circumstances attending the declaration of war, the

conclusion was the same—that a determination had long been formed by the United States to oppose the just claims of Great Britain, and with a view to embarrass that country in her contest with France for the independence of Europe, she had determined to unite her resources and exertions.

The news of the declaration of war, at this time, however, completely astounded the people of England. Even those who had advocated the enquiry into the Orders in Council, were convinced that America ought to have been satisfied with the abrogation of those edicts; and they further added, that should America urge any further claims upon Great Britain, that they should now be the first and most strenuous opposers of any further concession being made to that country.

It was frequently remarked in the public journals of the United States, that in all their intercourse with the governments of Great Britain and France, a studied and implacable hostility towards the interests of the former was universasally evinced; while, notwithstanding the reiterated insults and indignities daily offered by the latter to the American flag, yet the government of that republic was decidedly favorable to her views and wishes.

Matters, however, had now arisen to a crisis between Great Britain and the United States, that indicated war to be inevitably at hand; in view of which, and under the impression that in such an event Canada would be invaded, the governor in chief of those provinces immediately employed means to strengthen the public works, fortify the most important avenues into the country, and more effectually to organize the provincial militia; for should a war be the result, on the militia forces alone could the country depend for her defence, as only a sufficient regular force was retained in the country to perform garrison duty under a peace establishment; and, under existing

circumstances with the mother country, employed as her armies were on the European peninsula, little aid from that quarter could be

CHAPTER XIII.

Preparations of a warlike Appearance on the part of the United States—Extract from the Address of the House of Assembly to the Yeomanry of Canada, at the Commencement of the War—Invasion of Canada by an Army under General Hull—General Hull's Proclamation to the People of Canada—Active Measures pursued by General Brock for the Relief of Fort Amherstburg—Evident Signs of Indecision and Distrust in the American Camp.

DURING the defensive preparations on the part of Canada, the Uuited States government was not unmindful of its security against any hostile attack. Besides strengthening her fortifications, &c., an act of Congress was passed, on the 11th day of January, 1812, for raising ten additional regiments of infantry to consist of two thousand men each—two regiments of cavalry of two thousand each—and one additional regiment of artillery, to consist of one thousand—to be enlisted for five years. Early in the ensuing month, another act passed that body, authorising the president of the United States to accept the military services of certain volunteer corps, not to exceed in nnmber fifty thousand men; and, in the month of April following, an act was passed to call into active service, for the

purpose of military drill, one hundred thousand militia, proportioned to each state as follows:

Pennsylvania,	14,000
New-York,	13,000
Virginia,	12,000
Massachusetts,	10,000
New-Hampshire,	3,500
Connecticut,	3,000
New-Jersey,	5,000
North Carolina,	7,000
Maryland,	6,000
South Carolina,	5,000
Kentucky,	5,500
Ohio,	5,500
Georgia,	3,500
Vermont,	3,000
Delaware,	1,000
Tennessee,	2,500
Rhode Island,	500
	100,000

In addition to the above, the United States had a regular army of eleven regiments of five hundred men each, which, in the whole, certainly constituted a formidable army.

Acts were passed, at the same time, for building new ships of war, and repairing such as were out of commission, and for making such provisions for the defence of the maritime frontier as were considered necessary.

As soon as the declaration of war was announced in Canada, measures were employed in that colony to embody a portion of the militia force of the country for its protection against an invasion of the

An appeal was made by the representatives in parliament of Upper Canada to their constituents, at the end of the extra session which was convened at the commencement of the war, in which was portrayed in its native coloring the abject and wretched state of vassalage to the ruler of France into which America had descended, and her consequent perfidious conduct towards Great Britain. A most deserved eulogium was in that address passed upon the character of the militia, for the promptitude with which their services were volunteered in defence of the country.

"Already have we the joy to remark," says that address, "that the spirit of loyalty has burst forth in all its ancient splendor. The militia, in all parts of the Province, have volunteered their service with acclamation, and displayed a degree of energy worthy of the British name. They do not forget the blessings and privileges which they enjoy under the protection and fostering care of the British empire, whose government is only felt in this country by acts of the purest justice and most pleasing and efficacious benevolence. When men are called upon to defend every thing they hold precious—their wives and children, their friends and possessions, they ought to be inspired by the noblest resolution, and they will not be easily frightened with menaces, or conquered by force. And beholding, as we do, the flame of patriotism burning from one end of the Canadas to the other, we cannot but entertain the most pleasing anticipations. Our enemies have indeed said, that they can subdue the country by a proclamation; but it is our part to prove to them that they are sadly mistaken; that the population is determinately hostile, and that the few who might be otherwise inclined, will find it their safety and interest to be faithful."

As was before observed, a large American force, consisting of regulars and militia, was early in the year 1812 stationed at Detroit, and had been placed under

the command of General Hull, an officer of the Revolution, who, on the 12th of July, crossed the river Detroit with a force of two thousand five hundred of the above troops and a strong park of artillery, and planted the American standard on the shores of Canada. Immediately on the arrival of the American army at Sandwich, General Hull issued the following:

PROCLAMATION.

Head Quarters, Sandwich, 12th July, 1812.

INHABITANTS OF CANADA—

After thirty years of peace and prosperity, the U. States have been driven to arms. The injuries and aggressions, the insults and indignities of Great Britain, have once more left them no alternative but manly resistance, or unconditional submission. The army under my command has invaded your country. The standard of the Union now waves over the territory of Canada. To the peaceable, unoffending inhabitants it brings neither danger nor difficulty. I come to find enemies, not to make them. I come to protect, not to injure you.

Separated by an immense ocean and an extensive wilderness from Great Britain, you have no participation in her councils, no interest in her conduct. You have felt her tyranny; you have seen her injustice; but I do not ask you to avenge the one, or to redress the other. The United States are sufficiently powerful to afford every security, consistent with their rights and your expectations. I tender you the invaluable blessing of civil, religious and political liberty, and their necessary result, individual and general prosperity; that liberty which gave decision to our councils and energy to our conduct, in a struggle for independence, which conducted us safely and triumphantly through the stormy period of the Revolution—the liberty which has raised us to an elevated rank among the nations of the world, and which afforded us a greater measure of peace and securi-

ty, of wealth and improvement, than ever fell to the lot of any people. In the name of my country and the authority of government, I promise you protection to your persons, property and rights. Remain at your homes; pursue your peaceful and customary avocations; raise not your hands against your brethren. Many of your fathers fought for the freedom and independence we now enjoy. Being children, therefore, of the same family with us, and heirs of the same heritage, the arrival of an army of friends must be hailed by you with a cordial welcome. You will be emancipated from tyranny and oppression, and restored to the dignified station of freemen.

Had I any doubt of eventual success, I might ask your assistance; but I do not. I come prepared for every contingency—I have a force which will break down all opposition, and that force is but the vanguard of a much greater. If, contrary to your own interest and the just expectations of my country, you should take part in the approaching contest, you will be considered and treated as enemies, and the horrors and calamities of war will stalk before you.

If the barbarous and savage policy of Great Britain be pursued, and the savages are let loose to murder our citizens and butcher our women and children, this war will be a war of extermination. The first stroke of the tomahawk, the first attempt with the scalping knife, will be the signal of one indiscriminate scene of desolation. No white man, found fighting by the side of an Indian, will be taken prisoner—instant death will be his lot. If the dictates of reason, duty, justice, and humanity, cannot prevent the employment of a force which respects no rights, and knows no wrongs, it will be prevented by a severe and relentless system of retaliation.

I doubt not your courage and firmness; I will not doubt your attachment to liberty. If you tender your

services voluntarily, they will be accepted readily. The United States offer you peace, liberty and security. Your choice lies between these and war, slavery, and destruction. Choose, then, but choose wisely,—and may he who knows the justice of our cause, and who holds in his hands the fate of nations, guide you to a result the most compatible with your rights and interests, your peace and happiness.

By the General,
A. P. HULL.

This proclamation of General Hull was full of confidence in the strength of his arms and in the justice of his cause, assuring himself, from that consideration, of a successful termination to the campaign. It threatens, too, of pursuing a war of extermination, in the event of the employment of the Indians on the part of the British, forgetting, it would appear, that already were the Indians engaged co-operating with the forces of the United States against the British army.

General Hull, having crossed into the British dominions with an army which in point of numbers was capable of setting at defiance the whole of the British regular army then in the Canadas, commenced an advance on Fort Malden or Amherstburg. At the time the American army approached that place, the garrison consisted of a subaltern's detachment of royal artillery commanded by Lieutenant Troughton; a detachment of the forty-first regiment, of three hundred men, commanded by Captain Muir; and between three hundred and four hundred militia, the whole under the command of Lieutenant Colonel St. George, inspecting field officer of militia for that district—a force totally inadequate, by its numerical strength, to cope with that of the Americans, to which they were now opposed; but the most vigorous measures were employed by Major General Brock, to secure the fort against an assault, in the aid of which the

capture of Fort Michilimackinack was a fortunate circumstance, as it laid open the rear and flanks of the American army to the desultory attacks of the Indians in the neighborhood, a part of whom had assisted in its capture.

As soon as General Hull had established his camp at Sandwich, parties were sent out from his army, to levy contributions of provisions and forage from the inhabitants, who advanced as far as the Moravian Town, committing on their routes the most unheard-of atrocities upon the defenceless inhabitants, carrying with them as prisoners of war such influential persons as they found well affected towards their king and country.

In the mean time, General Brock had despatched, from the garrison of Fort George, Captain Chambers with fifty men of the 41st Regiment, into the interior of the country, for the purpose of collecting such of the militia and Indians as were then ready to join the army at Amherstburg—previously sending Colonel Proctor of the same regiment to assume the command of that garrison. Sixty men also of the 41st Regiment were despatched at the same time to reinforce the besieged garrison, and forty were sent to Long Point, for the purpose of collecting the militia in that vicinity.

General Brock, having made such arrangements, in the government of the province, as were necessary during his absence from York, proceeded from thence to Fort George, and thence to Long Point on Lake Erie, where he was joined by two hundred and sixty of the militia, who had, in a few days and in the very height of their harvest, gallantly volunteered their services to share the dangers of the field in defence of their country, together with the detachment of the 41st Regiment who had been previously sent to that quarter. At the head of these, General Brock proceeded to the relief of Amherstburg, where he arrived on the 13th of August.

General Hull had not long remained in the position which he had taken up, until it was manifest to the British commander, that indecision and distrust reigned every where throughout the American lines; and that the military talents of General Hull were far from being commensurate with the enterprise in which he had engaged, and that his talents had been sadly overrated by his government. In fact, it was evident that General Hull himself had already made this discovery; and of course these circumstances were held as ominous of his speedy overthrow.

CHAPTER XIV.

General Hull compelled to retreat to his own Territory—General Brock arrives at Amherstburg—Offers Terms to General Hull for the Surrender of Detroit—General Hull refuses the Proposition—The British Forces effect a Landing on the American Side of the River—General Hull proposes a Cessation of Hostilities—Terms of Surrender dictated to General Hull in his own Tent, by General Brock's Aids de Camp—Articles of Capitulation—Munitions of War &c. &c. included in the Conquest—Remarks—General Brock's Proclamation to the Inhabitants of the Michigan Territory—Trial of General Hull by a general Court Martial—Sentence &c.

PREVIOUS to the arrival of Major General Brock, Colonel Proctor had commenced active operations against the enemy by sending detachments across the river in order to cut off all communications between his main body and the reserve This with other judicious arrangements had compelled the enemy to retreat under the shelter of the guns of his own fort. Several skirmishes had occurred, by which losses had been sustained upon both sides, but in all of which the Americans were compelled to retire and acknowledge the superiority of the British arms; two in particular on the 5th and 9th instants, were maintained with much bravery on both sides, and in both of which the loss of the American army was very considerable, while that of the British amounted to three killed and fourteen wounded. Amongst the latter were Captain Muir and Lieutenant Sutherland, of the 41st Regiment, two officers very justly distinguished by their chief.

After the American army had again crossed the river to their own territory, a position opposite Fort

Detroit was taken up by the British, and on the 13th instant batteries were commenced; and although exposed to a well directed fire from a battery of seven twenty-four pounders, yet such was their construction under the able directions of Captain Dixon of the royal engineers, that the works were continued without intermission until completed, without sustaining the least injury from the fire of the enemy.

On the arrival of General Brock at Amherstburg, notwithstanding the formidable numerical strength of the enemy, preparations were immediately commenced to follow him into his own territory; and on Saturday, the 15th instant, the British forces were collected in the neighborhood of Sandwich for that purpose, consisting of thirty of the Royal Artillery with three six pounders and two three pounders, under the command of Lieutenant Troughton, two hundred and fifty of the 41st Regiment, fifty of the Royal Newfoundland fencibles, and four hundred Canadian militia, in all amounting to seven hundred and thirty, to whom six hundred Indians attached themselves, making an aggregate of one thousand three hundred and thirty.

About noon, on the same day, a flag of truce was sent by General Brock to General Hull, with a summons for the surrender of the town and fort of Detroit, stating that he could no longer restrain the fury of the Indians. To this an immed iate and spirited refusal was returned by General Hull, stating that he was prepared to meet any force which might be at the disposal of General Brock, and any consequences which might result from any exertion of it he might think proper to make. About four o'clock, the firing commenced from the British batteries and was immediately returned, which continued without intermission until about eleven o'clock that night. At daylight, next morning, the fire re-commenced upon both sides, at which time the British were discovered landing their

troops at the Springwells, three miles below Detroit. The Indians, in the mean time, had effected a landing about two miles lower down, and moved up, taking a position in the woods about a mile and a half on the left.

The British force immediately advanced within about five hundred yards of the enemy's line, with a view to bring him to a general action, General Brock having received information that Colonel Mc. Arthur, a distinguished American officer who had left the garrison only a few days previous, was now close upon his rear, and that his cavalry had been seen that morning by some of the reconnoitering parties of the British. The American army, having made a precipitate retreat into the fort, an assault was immediately decided upon. However, for this time the effusion of blood was saved by the exterminating General Hull sending out a proposition for a cessation of hostilities, for the purpose of preparing terms of capitulation.

Lieutenant Colonel Mc. Donald, provincial aid de camp, and Captain Glegg, aid de camp to General Brock, were deputed by that general to proceed to the American general, to present the terms upon which General Brock would be pleased to accept the surrender. In about an hour the two aids returned to the British camp, with the conditions of capitulation which they dictated to General Hull in his own tent. The conditions were as follows:

ARTICLE I. Fort Detroit with all the troops, regulars as well as militia, will be immediately surrendered to the British forces under the command of the Major General Brock and will be considered prisoners of war, with the exception of such of the militia of the Michigan Territory as have not joined the army.

II. All public stores, arms and all public documents, including every thing else of a public nature, will be immediately given up.

III. Private persons and property of every description will be respected.

IV. His Excellency, Brigadier General Hull, having expressed a desire that a detachment from the state of Ohio, on its way to join his army, as well as one sent from Detroit, should be included in the capitulation, it is accordingly agreed to. It is, however, to be understood, that such part of the Ohio militia as have not joined the army, will be permitted to return to their homes, on condition that they will not serve during the war; their arms will be delivered up, if belonging to the public.

V. The garrison will march out at the hour of twelve o'clock this day, and the British forces will take immediate possession of the fort.

Signed, J. Mc. DONALD, Lieut. Col. Militia, P. A. D. C.
J. B. GLEGG, Major, A. D. C.
JAMES MILLER, Lieut. Col. 5th Regt. U. S. Infantry.
E. BRUSH, Col. Commanding 1st Regt. of Michigan Militia.

Approved, W. HULL, Brigadier General Commanding the N. W. Army.

Approved, ISAAC BROCK, Major General.

AN ARTICLE *supplementary to the Articles of Capitulation, concluded at Detroit, the 16th of August*, 1812.

It is agreed that the officers and soldiers of the Ohio militia and volunteers shall be permitted to proceed to their respective homes, on this condition, that they do

not serve during the present war, unless they are exchanged.

Signed, W. HULL, Brigadier General
Commanding U. S. N. W. Army.
Signed, ISAAC BROCK, Major General.

AN ARTICLE *in addition to the supplementary Article of Capitulation, concluded at Detroit, on the 16th of August*, 1812.

It is agreed that the officers and soldiers of the Michigan militia and volunteers, under the command of Major Wetherall, shall be placed on the same principles as the Ohio militia and volunteers are placed by the supplementary article of the 16th instant.

Signed, W. HULL, Brigadier General
Commanding N. W. Army U. S.
ISAAC BROCK, Major General.

By the surrender of Detroit, which clothed with fresh and accumulating glory the arms of Great Britain, and stamped in indelible characters the terror which the name of a British soldier carries into the ranks of his enemy, an army of two thousand five hundred of the choicest American troops became prisoners of war, and thirty-three pieces of brass and iron ordnance fell into the hands of the conquerors,* besides four hundred rounds of twenty-four pound shot fixed, one hundred thousand cartridges made, forty barrels of powder and two thousand five hundred stand of arms.‖

**A Return of Ordnance taken in the Fort and Batteries of Detroit, August* 16th, 1812.

Iron Ordnance—nine twenty-four pounders, eight twelve pounders, five nine pounders, three six pounders.

Brass Ordnance—three six pounders, two four pounders, one three pounder. one eight inch howitzer, one five and a half inch howitzer.

Total of Ordnance taken—33.

(Signed,) FELIX TROUGHTON, Lieut.
Commanding Royal Artillery.

‖Col. Cass's letter to the American Secretary of War.

On the day of the surrender of the town and fort of Detroit, the American army had fifteen days' provision of every kind on hand. Of meat there was plenty in the country, and arrangements had been made for purchasing and grinding the flour. It was calculated that they could readily have procured three months' provisions, independent of one hundred and fifty barrels of flour and thirteen hundred head of cattle which had been forwarded from the state of Ohio, and remained at the River Raisin under Captain Brush, within reach of the army.*

In endeavoring to appreciate the motives and to investigate the causes which led to an event so unexpected and dishonorable as the surrender of General Hull, it is impossible to find any solution in the relative strength of the contending parties, or in the measure of resistance in General Hull's power.† He had a force at his disposal which was more than double the numerical strength of that of the British general, including six hundred Indians which had attached themselves to the army; yet, such was the decided bravery and promptitude of General Brock and his little band, that they were determined to storm the American garrison and camp. But it would appear that General Hull was not prepared for such prompt and decided measures as the handful of British regulars and Canadian militia were preparing to press upon him; he therefore surrendered at discretion.

*Col. Cass's letter.

†Ib.

General Brock had no sooner taken possession of the fort and town of Detroit with the Michigan Territory, of which it is the capital, than he issued the following:

PROCLAMATION.

Proclamation by Isaac Brock, Esquire, Major General, commanding His Majesty's Forces in the Province of Upper Canada, &c. &c

Whereas the Territory of Michigan was, this day, by capitulation, ceded to the arms of His Britannic Majesty, without any other condition than the protection of private property—and wishing to give an early proof of the moderation and justice of His Majesty's government—I do hereby announce to all the inhabitants of the said territory, that the laws heretofore in existence shall continue in force until His Majesty's pleasure be known, or so long as the peace and safety of the said territory will admit thereof; and I do hereby also declare and make known to the said inhabitants, that they shall be protected in the full exercise and enjoyment of their religion—of which all persons, both civil and military, will take notice and govern themselves accordingly.

All persons having in their possession, or having any knowledge of any public property, shall forthwith deliver in the same, or give notice thereof to the officer commanding or to Lieutenant Colonel Nicholl, who are duly authorised to receive and give proper receipts for the same.

Officers of militia will be held responsible that all arms in possession of the militiamen be immediately

delivered up, and all individuals whatever who have in their possession arms of any kind, will deliver them up without delay.

Given under my hand, at Detroit, this 16th day of August, 1812, and in the 52d year of His Majesty's reign God save the King.

(Signed,) ISAAC BROCK,
Major General.

Such was the glorious result, to the British arms, of the first military operations in Canada, during the war. It had, however, an effect throughout the whole of the United States, to beget the most violent altercations with respect to the conduct of General Hull.

The government contended that General Hull had been guilty of the basest and most dastardly cowardice, while he and his friends maintained that the means with which he was supplied were inadequate to the enterprise with which he was intrusted. A court martial was ordered, before which his conduct in that affair underwent a candid and dispassionate investigation, and which, after maturely weighing the evidence in all its bearings, found him guilty of neglect of duty, unofficerlike conduct and cowardice, and did therefore adjudge him to be shot to death; but the court, considering the advanced age of the prisoner and his revolutionary services, (he being a compatriot of the immortal Washington,) recommended him to mercy. The President, although highly approving of the sentence of the court, yet thought proper to remit its execution.

It has often been contended, by many persons of respectability in the United States,‡ that the surrender of

‡We felt it due to truth—to government—to General Hull, and to all persons directly or indirectly concerned with the facts

General Hull was the result of bribery; however, no circumstances connected with that affair will warrant that conclusion; nor can it, after a moment's reflection, be conceived that it was the effect of cowardice.

General Hull's character, as a soldier in the Revolutionary War, stood high; and his capacity to fill the rank he then held in the service was never questioned; his fidelity towards his government was ever beyond a doubt, and his principles as an individual were blended with the finest honor. But the general, after descending far into the vale of time, a period at which every faculty of the mind becomes imbecile, and man is again in childhood, is placed at the head of an undisciplined army, (a situation he never before had filled;) with his imagination replete with horrors of the most fearful description, at the awful tales of the savage ferocity of the *British* and *Indians*, which were propagated by ignorant and designing people—his ideas magnifying every danger in a tenfold proportion—hence he is rendered incapable of wielding the army entrusted to his command, and therefore surrendered, as he says, to prevent the effusion of blood.

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or circumstances leading to the shameful capitulation at Detroit, to suspend our opinion until a sufficiency of light was afforded to chase away the doubts and shadows that rested on the strange transaction. But doubt has resolved itself into certainty—we no longer hesitate to join in opinion with the whole people of the west, "of every sect or persuasion, religious or political," that the army at Detroit was treachorously surrendered; and that General Brock instead of General Hull ought to have been the prisoner. This idea is powerfully enforced by many private letters from gentlemen of the first respectability in the state of Ohio, who had opportunity to know the verity and strength of the opinion advanced; but the detail by Colonel Cass [see appendix,] is conclusive—it is besides supported by a host of testimony in all the subtantial facts it exposes.

Niles' Register—Baltimore.

The foregoing premises are supported by the tenor of his proclamation, as nearly every line of that document breathes a terror not to be disguised. It is corroborated, too, by his communication to Colonel Cass, as appears by that officer's letter to the Honorable William Eustis, where he says "I was informed by General Hull, the morning after the capitulation, that the British forces consisted of eighteen hundred regulars, and that he surrendered to prevent the effusion of human blood. That he magnified their regular force nearly five fold, there can be no doubt."

CHAPTER XV.

An Attack upon the Post of Queenston by a Part of General Van Rensellaer's Army, under the command of Gneral Wadsworth—General Brock killed—Colonel Mc. Donald mortally wounded—Dies of his Wounds—Arrival of a small Reinforcement headed by General Sheaffe who now assumes the Command—Renewal of the Conflict—Communication opened with Chippawa—Victory declares herself on the Side of the British—Cowardly Conduct of the United States Militia—Surrender of General Wadsworth with all the Forces under his Command—Cannonading between Forts George and Niagara—Assembling of another American Force.

However complete might have been the victory at Detroit to the British arms, yet glories of a much more brilliant cast awaited them in the defence of their country.

Dispirited at such a total failure in General Hull's expedition, it became late in the season before the American government could collect a force on the frontiers, with which, with any safety, another descent upon Canada could be made. At length, Major General Van Rensellaer, of the New-York militia, with a force of four thousand men under his command, (fifteen hundred of whom were regular troops,) established his camp at Lewiston, on the Niagara River, nearly half way between Lake Ontario and the Falls.

Before daylight, on the morning of the 13th October, a large division of General Van Rensellaer's army, under Brigadier General Wadsworth, effected a landing at the lower end of the village of Queenston, (opposite to Lewiston,) and made an attack upon the position which was defended with the most determined bravery,

by the two flank companies of the 49th Regiment commanded by Captains Dennis and Williams, aided by such of the militia forces and Indians as could be collected in the vicinity. Major General Brock, on receiving intelligence, immediately proceeded to that post, from Fort George, and arrived at the crisis when the handful of British regulars and militia was compelled to retire for a time before an overwhelming force of the enemy. However, on the appearance of their gallant chief, the troops were seized with a fresh animation, and were led on by that brave general to a renewed exertion to maintain the post; but just at the moment of charging the enemy's position, within pistol shot of his line, and while his ranks wavered with hesitation, General Brock was killed by a musket ball, and with him the position was for a short time lost. Colonel Mc. Donald, his provincial aid de camp, was mortally wounded about the same time, who afterwards died of his wounds.

A reinforcement of the 41st Regiment, commanded by Captain Derenzy, with a few of the Lincoln Militia and a party of Indians were immediately marched from Fort George to the succor of the troops at Queenston, under the direction of Major General Sheaffe who now assumed the command; and persons who were, both by their situations in life and by their advanced age, exempt from serving in the militia, made common cause; they seized their arms and flew to the field of action.*

The conflict was again renewed, and from the advantageous position taken up by Major Norton, the

*Judge Clench of Niagara, an old half pay officer from His Majesty's service, who had, for some cause or other, some time previous, retired from the command of the 1st Lincoln Militia, in company with a few others equally exempt from service, with a truly patrotic zeal, followed their beloved general from Fort George to Queenston, and ranged themselves in the ranks as volunteers, to drive the enemy from their shore.

Indian chief, with his warriors on the woody brow of the high grounds, a communication was opened with Chippawa, from whence captain Bullock, of the 41st Regt. with a detachment of that corps, was enabled to march for Queenston, and was joined on the way by parties of the Militia who were repairing from all quarters, with all the enthusiasm imaginable, to the field of battle. The fight was maintained, upon both sides, with courage truly heroic. The British regulars and militia charged in rapid succession, against a force in number far exceeding their own, until they succeeded in turning the left flank of their column, which rested on the summit of the hill—the event of the day no longer appeared doubtful.

Major General Van Rensellear, commanding the American army, perceiving his reinforcements embarking very slowly, recrossed the river to accelerate their movements; but, to his utter astonishment, he found that at the very moment when their services were most required, the ardor of the unengaged troops had entirely subsided. General Van Rensellaer rode in all directions through his camp, urging his men by every consideration to pass over. Lieutenant Colonel Bloome, who had been wounded in the action and recrossed the river, together with Judge Peck who happened to be in Lewiston at the time, mounted their horses and rode through the camp, exhorting the companies to proceed, but all in vain.* Crowds of the United States militia remained on the American bank of the river, to which they had not been marched in any order but run as a mob: not one of them would cross. They had seen the wounded recrossing; they had seen the Indians; and were panic struck.† There were wretches to be found

*Major Geaneral Van Rensellear's letter to Major General H. Dearborn, dated "Head Quarters, Lewiston, 14th Oct. 1812."

†American Report of the Battle of Queenston.

in the American ranks, who, at this critical juncture, could talk of the *Constitution*, and the right of the militia to refuse crossing the imaginary line which separates the two countries.*

No sooner had the British forces succeeded in turning the left flank of the enemy than he visibly began to give way; one grand effort was therefore made upon the crest of his position, in which the heights were carried at the point of the bayonet.

General Van Rensellaer, having found that it was impossible to urge a man to cross the river to reinforce the army on the heights, and that army having nearly expended its ammunition, boats were immediately sent to cover their retreat; but a desultory fire, which was maintained upon the ferry from a battery on the bank at the lower end of Queenston, completely dispersed the boats, and many of the boatmen relanded and fled in dismay. Brigadier General Wadsworth was therefore compelled, after a vigorous conflict had been maintained for some time upon both sides, to surrender himself and all his officers with nine hundred men, between three and four o'clock in the afternoon, to a force by far inferior to his in numbers, which circumstance speaks loudly in favor of the plan of attack adopted by Major General Sheaffe.†

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*American Report of the Battle of Queenston.

†Great praise is bestowed on Lieutenant Kerr of the Glengary Fensible Light Infantry, in General Sheaffe's Report, for his intelligence and active services while employed in communications with the Indian warriors and other flanking parties during this conflict.

Amongst the officers mentioned in the Report of General Sheaffe, as having particularly signalized themselves, appear the names of the following of the militia forces, for the gallant and steady manner they led the troops under their command into action, and, with that unparalleled bravery peculiar to British

Soon after Major General Brock's arrival at Queenston, in the morning, he had sent down an order to Fort George, for cannonading the American fort, Niagara; the operations of which were so ably directed by Colonel Claus and Brigade Major Evans, who were left in command of Fort George and the adjacent batteries, as completely to silence the American guns, and to force the garrison to abandon it and take shelter in places of more safety; by which means much mischief was prevented to Fort George and Newark, as the enemy had been throwing heated shot into those places.‡

The loss of the British army, in this battle, did not exceed one hundred men, including killed, wounded and missing—while that on the side of the Americans, including deserters, was not less than two thousand: but amongst the killed, the British government and the country had to deplore the loss of one of their bravest and most zealous generals, in Sir Isaac Brock, and one whose memory will long live in the warmest affections of every British subject in Canada.‖

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troops, for a length of time sustained the conflict with an overwhelming enemy—viz. Lieutenant Colonels Butler and Clark, Captains Hatt, Durand, Rowe, Applegarth, Jas. Crooks, Cooper, Robert Hamilton, Mc. Ewen, and Duncan Cameron; and Lieut. Thomas Butler, commanding a flank company of Lincoln Militia, and Lieutenant Richardson, commanding a flank company of York Militia; Captain A. Hamilton is likewise highly spoken of, for his usefulness and activity at the guns under Captain Holcroft, to whose company he attached himself, after being disabled from accompanying his troop in the Niagara Dragoons, to which he then belonged.

‡The guns in Fort George were under the immediate direction of Captains Powell and Cameron of the Militia Artillery, during the 13th.

‖Such was the high esteem in which the character of General Brock was held even with the enemy that, during the movement of the funeral procession of that brave man, from Queenston to Fort George, a distance of seven miles, minute guns were fired at every American post on that part of the lines; and even the appearance of hostilities was suspended.

Nothing could possibly excel the heroic bravery manifested on both sides, during this sanguinary contest. Colonel Van Rensellaer, aid de camp to the general of that name, who led the van of the invading army, displayed much real courage in the gallant and intrepid manner in which he formed the division under his command, on the margin of the river, and led them on to the attack. He even, after receiving four wounds, continued to issue his orders.

Captain Wool, an officer only twenty-six years of age likewise displayed great courage and self-devotedness to his country's service.

The names also of Brigadier General Wadsworth, Colonel Scott, Lieutenant Colonels Christie and Fenwick, and Captain Gibson with several others of an inferior rank, are honorably spoken of in General Van Rensellaer's communications to General Dearborn on the subject.

On the morning subsequent to the battle of Queenston, General Sheaffe entered into an armistice with the American general commanding at Lewiston, to be confined to that part of the frontier comprised between lakes Ontario and Erie, subject to a condition that forty-eight hours notice should be given by either party for a recommencement of hostilities. This arrangement was at first censured, by individuals unaware of the motives by which General Sheaffe was actuated; it was not, in the flush of victory, taken into consideration, that the number of American prisoners then in his charge far exceeded the numerical strength of his army, when the Indian force was withdrawn; and that with his very limited means of defence, he had a frontier of forty miles to protect.

The Americans, after recovering in some measure from the disasterous defeat with which they had met at the heights of Queenston, commenced the most vigorous and gigantic preparations for assembling another army, at Buffalo, for a second descent upon the Nigara frontier, under the command of General Smyth; and if numbers constitute force, they had succeeded beyond their most sanguine hopes.

With an army, the least account of which, in any of the American reports, was eight thousand strong—with fifteen pieces of field ordnance—a populous and fertile country in his rear, and the facility afforded him by good roads to draw the supplies for his army, and to bring into the field a formidable artillery—General Smyth was enabled to come well prepared for the enterprise in which he had engaged; and so sanguine was he of the successful result of his expedition, that he vauntingly promised, on the 10th of the month, "that in a few days the troops under his command would plant the American standard in Canada;" and in pursuance of which, he issued an order to the commandant of Fort Niagara, to save the buildings of Fort George and the adjacent town of Newark, as they would be required for winter quarters for the "Army of the Centre."

Such formidable preparations were not unnoticed by the vigilance of General Sheaffe and the efficient officers under his command; but successfully to repel such terrific odds was conceived to be, at least, very doubtful; for, up to the period at which the American general had violated the terms of the armistice, not a single British soldier had arrived to reinforce the army; and, after the conflict at Queenston, the militia, which constituted the majority of the British force, had been permitted to return home to secure the remainder o their harvest.

However, on the first alarm being given of the hostile movements of this American army, those sufficiently harrassed but loyal militiamen promptly returned to their posts, fully determined to dispute every inch of ground while a man was left to defend it.

The flaming proclamations of General Smyth—the extended columns of cavalry and infantry, and the immense park of artillery with which he was enabled to line the American shore—and the continued marching and countermarching of countless battalions—attended with all the pomp of war and parade of martial bombast which the prolific mind of General Smyth was capable of calling into contribution, for the purpose of intimidation—were lost upon men so firmly attached to their king and devoted to the service of their country.

CHAPTER XVI.

The American Forces, assembled on the Niagara River, placed under the Command of General Smyth—Another Invasion of Canada—The Invaders completely repelled—Indignant Feelings of the American Troops at the Conduct of General Smyth—Second Attempt of General Smyth to invade Canada—Complete Failure in that Attempt—The American Army retires to Winter Quarters—Geographical Description of the Country in the Vicinity of Niagara and Queenston—Remarks on the Conclusion of the first Year's Campaign—Effect the Result of the First military Operations had on the public Mind in America—Proposals of Mr. Madison for Terms of Pacification—Rejection of those Terms.

THE American army lay in camp along the lines, until the latter part of the month, daily gathering fresh accessions of strength. During the 25th and 26th, the movements of General Smyth appeared to menace an immediate invasion.

On the morning of the 27th, at daybreak, agreeably to an order of General Sheaffe, issued the previous evening, the guns of Fort George with those of the batteries in the vicinity, simultaneously opened a fire on Fort Niagara, which was continued throughout the day; and, according to the American official accounts, with considerable execution.

On the night of the 28th, a strong corps of the enemy under Colonel Boerstler and Captain King, aided by a party of seamen, crossed the river about two miles below Fort Erie, apparently for the purpose of siezing the batteries, preparatory to the movement of the main body of General Smyth's force. The batteries were

covered by detachments from the 49th Regiment, commanded by Lieutenants Bartley and Lamont, who defended their posts with the accustomed bravery of the corps to which they belonged; but the overwhelming force of the enemy obliged them to retire.

In this contest, Lieutenant Lamont was severely wounded, having received not less than twenty-one buck-shot in different parts of his body, and the detachment under his command literally "cut to pieces." Lieutenant Bartley, after making a circuitous retreat by the edge of the woods, joined Captain Whelan of the Newfoundland Fencibles, who, with his own company and three companies of the 3d Regiment of Lincoln Militia, was repairing in double quick time to the relief of the forces defending the batteries. The enemy had, by this time, gained possession of the works.

The enemy was again assailed, an escalade was effected, and the batteries re-taken at the point of the bayonet. A most desperate resistance was made by the enemy, but without effect. Captain King, of the American forces, a brave and meritorious officer, and about thirty-eight non-commissioned officers and rank and file, were made prisoners of war. Colonel Boerstler recrossed the river; and from the number of killed and wounded of the Americans strewed over the ground on which the conflict was maintained, it was evident they had suffered very severely.

Upon hearing the fire of the contending parties, Colonel Bishop, who commanded at Chippawa, immediately ordered the militia under Lieutenant Colonel Clark and Major Hatt towards the scene of action. Major Ormsby, too, commandant of Fort Erie, marched with a part of his command, consisting of a detachment of the 49th Regiment, to the succor of the troops engaged; but these detachments only arrived in time to witness

the gallant conduct of their brethren in arms, who had effectually repelled the invaders from the shores of their country.

By the united exertions of Captain Kirby of the Militia Artillery, and Bombardier Jackson of the Royal Artillery, with the men under their command, the guns, which the enemy had dismounted on leaving the batteries, were replaced on their carriages and brought to bear upon the retreating boats with much effect.

General Smyth was contemned and ridiculed by people of all ranks and conditions in the United States, for his pusillanimous conduct in the management of this expedition; and in order, in some measure, to wipe off the stain which justly adhered to his character, he promised to make a more effectual attempt; but scarcely did even this promise suffice to suppress the indignant feelings which his conduct had already excited in the minds of the officers and men of his army.

In pursuance of General Smyth's promise, the army under his command was collected at Black Rock, for the purpose of making another attempt upon Canada, on the morning of the 1st December, at three o'clock; and at half post four o'clock, the troops and ordnance were all embarked and in readiness to proceed to the opposite side of the river.

General P. B. Porter had, pursuant to General Smyth's orders, placed himself in a boat, accompanied by Major Chapin with a few other officers and about twenty-five Buffalo volunteers, at the right of the first line which extended nearly half a mile, to lead the van of the enterprise. But "at daylight," says General Porter in his expose of that affair to the public, "we discovered the troops disembarking, and were informed that the invasion of Canada had been abandoned for this season, and that the troops were ordered to winter quarters. A

scene of confusion ensued which is difficult to describe: About four thousand men, without order or restraint, discharging their muskets in every direction."

After such a base betrayal of the trust reposed in General Smyth by his government, a flag of truce arrived from that general to Colonel Bishop, who had taken command of the troops in the neighborhood of Fort Erie, for the surrender of the fort and troops under his command. "Let your general come and take the fort and troops," was the reply of that officer; but General Smyth did not apparently covet another rencontre; his troops therefore disappeared, and he retired from the service.

The British forces engaged in this affair received the unqualified approbation of the commander in chief. Indeed, when it is considered that Colonel Bishop, with a handful of regulars and militia, successfully repulsed such a formidable invasion, language seems barren to mete their praise.

Thus terminated the campaigns of 1812 on the Canadian frontiers. The affairs on the Lakes were not attended with any thing of sufficient importance to claim a notice in general history. The American army under General Dearborn, which was intended to make an attack upon Lower Canada, had lain comparatively dormant, suffering the season to glide past without scarcely being heard of, until the winter began to set in, when it removed into quarters more suitable to that season of the year.

The disappointments and defeats of Generals Hull, Wadsworth and Smyth were sufficient lessons, however, to admonish the American government, that the *fidelity of His Majesty's Canadian subjects towards the British government and constitution, was founded upon too solid a basis to be shook by any effort in the power of that government to make*

For the benefit of the distant reader, it might not be improper to close the account of this campaign with a geographical description of the theatre of military operations, that a more correct idea may be formed of the manœuvring of the armies, and of the strength of the positions for which they had to contend.

Queenston is a neat little town about seven miles below the Falls of Niagara, at the head of the navigable waters of that strait. It is overlooked by a steep hill, called Queenston Heights, probably more than three hundred feet above the level of the river—the position for which the conflict with General Wadsworth's division was maintained. Queenston is the place of depot for all public stores and merchandise which are brought to that place from Kingston and Lower Canada. Public stores for forts Erie and Malden, and merchandize for all the country above, as well as the returns of furs and produce by that route downwards, are all stored for a time at Queenston. They are transported over the carrying place by wagons, a distance of nine miles, to and from Chippawa above the falls. Queenston is an excellent harbor—deep water and good anchorage—the banks on both sides are elevated, and the landscape probably amongst the most splendid and sublime in the world.

Newark‡ is on the same side of the the river with Queenston, close to where the Niagara river empties into Lake Ontario. Upon the evacuation of the western posts by the British, Fort Niagara, on the opposite side of the river to Newark, was surrendered to the United States. The site for this fort was selected in 1751, by the French, and was considered as the key to the inland country. In its best state it was, however, only a rampart of earth, scarped with a stockade, and a spacious barrack within the works. The encroachment of the waters threatens to undermine it; but a work has been

‡Now Niagara.

erected, of the same materials with Niagara, called Fort George, on the British side of the river, on a position which seems, by being more elevated, to command the position of Fort Niagara; but the works on both sides have been suffered to fall into a state of dilapidation, especially that of Fort George. The *point blanc* distance of the two works is very little over a mile; and about three quarters of a mile, of a beautiful plain, separates Fort George and Newark.

The war, by this time, had become very unpopular throughout the United States; and the people, becoming every day more and more discouraged from the frequent disasters which befel their armies, and which every day's report was sounding in their ears, seemed to betray a strong anxiety that matters should be adjusted between the British government and that country, upon any sort of reasonable terms; but this Mr. Madison and his satellites prevented by offering the most ridiculous and absurd terms of arrangement, on the least approaches to na amicable understanding that would show itself upon either side.

The President proposed an armistice, on condition that the Orders in Council should be immediately rescinded and that the system of blockade shouid not be revived—and that all American seamen, on board of British shipping, should be forthwith discharged, without any condition or limitation as to how they might have become American citizens—and that a stop should be put to searching American vessels for British seamen. Thus did the American ruler demand that all advantages should preponderate on his side. The unconditional repeal of the Orders in Council did he require—the immediate discharge of every man, in the British navy, who had ever obtained a certificate of American citizenship, (and the most scrupulous honesty was not at all times observed either in giving or receiving those certificates,) and that the system of blockade should not be

revived. And what was to be the return for which the British government should make all these concessions? *Verily Mr. Madison would suspend, for a time,* (that is, during his sovereign pleasure,) *the operations of his mighty means of warfare against Great Britain.* To concede to such propositions was not consistent with the honor of a great and mighty nation like Great Britain: they were therefore rejected. The President, in a subsequent message to Congress, complained loudly of the conduct of the British government, in rejecting every proposal for a pacific arrangement which had yet been offered; and he even indulged in a series of the grossest misrepresentations. He reiterated his old assertion, that the Indians in the service of the British government had been guilty of the most unheard-of atrocities towards such of the American people as had fallen into their hands as prisoners of war; and contrasted the conduct of the British with the pacific disposition evinced by the people of the United States, who, he stated, were only anxious to promote civilization among the Indian tribes. But probably the best evidence, as regards the humanity of the British and Indians in this respect, may be found in the despatches of General Brock to Sir George Prevost, dated Head Quarters, Detroit, 17th August, 1812. "Many of the Indian nations," says he, "when this contest commenced, were engaged in active warfare with the United States, notwithstanding the constant endeavors of this government to dissuade them from it. Some of the principal chiefs happened to be at Amherstburg, trying to procure a supply of arms and ammunition, which for years had been withheld, agreeably to the instructions received from Sir James Craig, and since repeated by your Excellency.

"From that moment they took a most active part, and appeared foremost on every occasion. They were led yesterday by Colonel Elliot and Captain Mc. Kee, and nothing could exceed their order and steadiness. A few prisoners were taken by them during the advance, whom they treated with every humanity; and it affords me much pleasure in assuring your Excellency, that such was their forbearance and attention to what was required of them, that the enemy sustained no other loss in men than what was occasioned by the fire of our batteries."

CHAPTER XVII.

Engagement between the Gurrier and Constitution—Attempts made to board the Constitution—The Guerriere rendered completely unmanageable—She surrenders—Remarks.

A PERIOD, most of the events of which have just passed in review, must now be returned to. An ardent anxiety had been for some time expressed, both in Great Britain and America, that the British and American navy should have an encounter—of the result of which, no doubt, on either side, appeared to be entertained. The day, however, arrived.

On the 19th of August, in latitude 40 degrees 20 minutes north and longitude 55 degrees west, off the coast of Labrador—the Guerriere, (British frigate,) Captain Dacres, and the Constitution, (American frigate,) Captain Hull, met—the former of which rated thirty-eight guns but mounted forty-nine and mustered at quarters, at the commencement of the action, two hundred and forty-four men and nineteen boys†: the latter rated forty-four guns but mounted fifty-six, of uncommonly heavy metal, and mustered at quarters, at the commencement of the action, four hundred and seventy-six men, almost double the number of the Guerriere.

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†It is probably not unworthy of remark, that on board of the Guerriere at the time of this engagement, there were ten American seamen who had for a number of years belonged to her; but as the declaration of war by the United States, was not known at the time of her sailing, no opportunity of course had since that period offered itself for discharging them. The gallant and generous Dacres, however, conceiving it to be unjust, in the extreme, to compel them to fight against their countrymen, ordered them to quit their quarters and go below.

The Guerriere, being on her return from a cruise—her foremast and bowsprit both considerably crippled, and a great part of her fore rigging gone—discovered a sail on her weather beam, which afterwards proved to be the United States frigate Constitution, bearing down before the wind. She immediately made sail and gave chase; all hands were called to quarters and the ship cleared for action.

At about twenty minutes past four, the frigates came to close quarters, and a heavy fire was continued for some time. About half past five, the mizen mast of the Guerriere was shot away and fell over the starboard quarter, which brought the ship to the wind against her helm, and left her exposed to a galling fire from the Constitution, which had placed herself on the larboard bow of the Guerriere, and was raking her fore and aft. At the same time, her marines and riflemen were picking from the decks of the Guerriere all whom they found to be most efficient.

Several attempts were made by the crew of the Guerriere, to board her opponent; but the sea ran so high, and the ship refusing to answer her helm, it was found to be impracticable.

At twenty minutes past six, the fore and main masts of the Guerriere went over the starboard side, which completely rendered the guns on that side useless; and just as the crew had finished clearing the wreck, the sprit-sail yard gave way, which left the ship an unmanageable wreck in the trough of the sea, rolling her main-deck guns under water. The Constitution, which had previously shot ahead to refit, had now completed and returned to the contest; when Captain Dacres called together the few officers who remained, and held a short consultation, the result of which was, that they con

ceived any further resistance a useless waste of valuable lives; the Union Jack was, therefore, taken from the stump of the mizen mast, where it had been, from necessity, nailed fast.

On board of the Guerriere, there were fifteen killed and sixty-three wounded; amongst the latter of whom was Captain Dacres, who received a severe contusion in the back; and on board of the Constitution, there were eight killed and twelve wounded.

No blame could possibly be attached to the officers and crew of the Guerriere: she was defended with the most consummate skill and gallantry, against a force almost double their superior in strength, in almost every point of view, and only surrendered when further resistance would have been the most prodigal waste of lives of the brave crew that had already done their duty to their king and country.

It redounds much to the honor of the United States—the manner in which the officers and seamen of the Constitution conducted themselves towards their prisoners. It was the conduct of the brave towards the brave, and the wounded were attended with every mark of kindness.

Language fails when a description is attempted of the triumph of the people of the United States, on hearing of this, their first naval victory (if after such an unequal contest it might be so called,) over "the lords of the main," who, until now, had driven every other power from the face of the ocean that ventured to contest their dominion on that element. Public entertainments, of the most splendid description, were prepared by the citizens of Boston, for the officers and crew of the Constitution, on their landing at that place; and, in every town through which Captain Hull passed, the example of the citizens of Boston was faithfully copied.

The war was now becoming popular throughout America; and it was in contemplation to augment the American navy, so as to *cope with that of Great Britain*.

Although there were some unthinking people in England, who censured Captain Dacres for not rather having allowed himself and crew to go to the bottom than to have surrendered to an enemy whom they looked upon as contemptible, yet there were others—and those, too, who were more capable of forming a juster value of the American character, and who made a proper estimate of the relative strength of the two vessels—who formed quite a different opinion on the subject.

To the groundless apprehensions, generated in a moment of disappointment, the best answer probably which could be made, is contained in the following very sensible and very pertinent remarks*, which may be read with interest when the puny naval force of America shall be forgotten.

"There are three of the American frigates, viz.—the Constitution, the President and the United States, which were originally intended for line of battle ships, and are of one thousand six hundred tons burthen and upwards, admeasurement. They carry fourteen twenty-four pounder long guns, at each side on their main deck, and are armed on their quarter deck and forecastle, which nearly meet, with fourteen thirty-two pounders, carronades, on each side—making a total of fifty-six guns heavy. By their capacity, this battery is elevated possibly ten feet above the lead water line, from the lower side of the main deck ports.

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*Copied from a respectable English periodical of that day.

"It is right further to remark, that this great capacity enables them to possess considerably larger scuttles for ventilating them between decks; and by such combined power of space and air, they are enabled to carry a complement of from four hundred and fifty to five hundred men.

"It is also worthy of remark, that this portion of their navy forms the *elite* of the corps, has been long in commission, and commanded by their best officers; add to which, that they are our own degenerate sons that man them, many of whom are absolutely fighting against us, (as it were,) with halters about their necks.

"The outcry made against the government is, that this small comparative force has not been already swallowed up. They, however, like a 'mouse on Salisbury Plain,' and having a roving commission, are of course not long in one spot. When met at sea by the Guerriere and Macedonian, two of our heaviest frigates now in commission, the fight was between single ships, and the result has been known, to the sorrow certainly of all lovers of their country.

"But will it be asserted by any one, that our whole frigate navy must be remodeled, in consequence of this check? Would it not be better at once to declare, that these three ships, viz.—the Constitution, President and United States, are line of battle ships, having equipments in men and ordnance and capacity equal thereto; and exonerate our Captains of frigates from going alongside of them, unless assisted by some additional force?

"It should be remembered by the British public, that a captain of a British thirty-two gun frigate mounting only twelve pounder carronades, is bound to fight any single decked ship (meaning thereby 'gun-deck,' as contradistinguished from quarter-deck and forecastle, though their two platforms nearly meet,) and conse-

quently proceeds into battle, a willing sacrifice to the honor of the flag whose independence he is most certainly bound to maintain. But surely there should be some bounds to such honorable chivalry. Formerly it was necessary, or at least thought so, for a regiment to remain under a severe galling fire which possibly they could not return to advantage, merely because a British soldier was never to turn his back on an enemy. But such courage is better managed now a days, thanks to Lord Wellington and other able men who have learned at his lordship's school. And why not permit our frigates (of which, I repeat it, the Guerriere and Macedonian are as good specimens of force as we can bring; and being both taken in single action shows, that they are not equal to such frigates of the American navy as before described,) to retire from such force, as they are accustomed to do from two decked ships?

"It is said by some, who rather delight in exhibiting any loss of war, (this country must in common share with other nations,) as the faults of the persons whose cause they do not espouse, that we do not man our ships sufficiently. Why not, say they, muster the same number of men as the American frigates? The answer is easy—our frigates cannot stow them; and if stow them, or rather crowd them, they could not take the necessary supplies of provisions for the usual period of a common foreign service, in which British shipping are chiefly engaged, in consequence of our vast dominions abroad and extensive commercial relations. Our frigates of the first class, with the exception of the Endymion and Cambria, the former now repairing, and the latter either taken to pieces or about to be, are about one thousand and fifty tons, six hundred tons less than either of the American frigates before described.

"It may be then said, and indeed is already said, build them! This certainly may be done, and probably will be done to a proper extent, if any fit two decked ships whose upper works are in a state of decay, can be found to cut down*. It is also possible that the department of government to which this great responsibility attaches, may be disposed to do so; time, however, must be allowed for such a process. It is easy for people who know little of the subject, to clamor why have we not this or that, the moment it is wanted. Do our countrymen, at least the sensible part, forget that our navy, with the most rigid economy, costs us twenty millions sterling annually, and would if such prodigality were used, cost us thirty millions? Do they forget of what perishable materials ships are composed? Do they forget that dreadful disease, the dry rot? But suppose we had three, or four, or six, say, of this description of frigates, like the Americans, either building or cutting down larger ships for the purpose, it might happen, and most likely would happen, that they never would meet the large Americans. The two finest British frigates, the Endymion and Cambrian, have, I will not say never been engaged at all, but, certainly never with a frigate of any description.

"But even admitting that we had them, and that they did meet, might not some of our fast sailing two deck ships, now in the American seas, be equally and successfully employed—nay, better; for the certainty of victory, with a comparatively less loss, would be

*These remarks are only adapted to the period in which the war was in progress; but it must be recollected it is of that period that the author is writing; and he is anxious that not only the present age, in which he writes, but posterity may be made acquainted with all the circumstances under which the war was prosecuted on both sides.

greater. On the whole, therefore, I consider that the nation should at once vote, as it were, these three American *soi disant frigates*, line of battle ships; and support a man, and not run his character down, who considered it right to retire from one. They would then be of no more consequence than any other ships of war; and, by being liable to capture by one of our two deckers, are the description of ships, that, if the American war could long continue, would be too expensive for frigates, and not of force for the line.

CHAPTER XVIII.

A number of merchant Vessels captured by the Host of American Privateers which began to infest the Ocean—Engagement between the British armed Brig Frolic and the United States Sloop of War Wasp—Crew of the Wasp boards the Frolic—Frolic captured—Arrival of the Poictiers of seventy-four Guns, which conducts both of the Vessels into Bermuda—Captain Jones, of the Wasp, arrives in the United States—Action between the Macedonian and the United States—Macedonian captured—Captain Carden's Reception on Board the United States—Action between the British Frigate Java and the United States Frigate Constitution—Captain Lambert mortally wounded—Capture of the Java—Remarks.

FRESH proofs were daily accumulating, that the naval forces of America were not wanting in point of valor and naval tactics, as was by many, at the commencement of the war, supposed to be the case; but that they were probably, at some future period, should the war continue, destined to dispute the dominion of the ocean with Britania herself. American privateers began to swarm from every port in the United States, by which numerous captures of British trading vessels were made; besides which, repeated engagements with the public armed vessels were occurring, amongst which was an encounter between His Majesty's armed brig Frolic and the United States sloop of war Wasp.

On the morning of the 18th of October, in latitude 36 deg. N. and long. 64 deg. W.—His Majesty's armed brig Frolic, Captain Whinyates, being on her homeward bound voyage from the Bay of Honduras, having under convoy six richly laden merchantmen from that quarter, while the crew were employed repairing damages which

she had sustained the preceding night in a violent gale of wind, in which she had carried away her main-yard, lost her top-sails, and sprung her main-top-mast, she descried a strange sail which gave chase to the convoy. Captain Whinyates immediately dropped astern; and, not yet aware of the war between Great Britain and the United States, he hoisted Spanish colors, with a view to decoy the sail and give the convoy time to escape.

About ten o'clock, the sail closed with the Frolic, and proved to be the American sloop of war, Wasp Captain Jacob Jones. A close and spirited action commenced; the fire was maintained on board the Frolic with such animation, for a time, and apparently with such good effect, as encouraged every hope of a speedy termination in their favor; but the gaff-head braces being shot away, and the main-mast entirely stript of canvass, the brig became completely unmanageable. The enemy, taking advantage of this, shot ahead and raked her fore and aft, while the Frolic was unable to bring a gun to bear on her antagonist.

The Wasp again took up her position on the larboard side of the Frolic, and continued to pour in a most destructive fire. The Frolic, at length, fell with her bowsprit between the main and mizen rigging of the enemy, when she was immediately boarded and the British colors hauled down, within about fifty minutes after the commencement of the action.

What must have been the astonishment of the American seamen, when they found not a man alive on the deck of the Frolic, except three officers and the mariner at the wheel. Such was the determined bravery with which the Frolic was defended; and nothing but the crippled state of the brig, occasioned by the heavy gale she had encountered the preceding night, could have

brought on such a speedy and disasterous issue, as the vessels were nearly equal in strength, both as regarded men and guns.

The loss of the Frolic, in this sanguinary engagement, was thirty killed and fifty wounded; while in the Wasp, the loss was only trifling.

On the same day, while Captain Jones was refitting in order to convey his prize into port, a sail hove in sight, which proved to be the British ship of war, Poictiers, of seventy-four guns, commanded by Captain Sir John Beresford, who re-captured the Frolic, and captured the Wasp, conducting both vessels into Bermuda.

A short time after, Captain Jones was exchanged; and the demonstrations of joy with which he was received in the United States, were almost without a parallel.

The Congress presented the officers and crew of the Wasp with the sum of twenty-five thousand dollars as a compensation for the loss of their prize; and Captain Jones was appointed to the command of the Macedonian frigate, which the United States government had purchased from the captors.

The American navy was destined, before the termination of this year, to acquire yet further triumphs on the ocean; which, the high character maintained for a series of years by the British navy over the naval forces of those powers with whom they had been at war, rendered, at once, a subject of astonishment and affliction.

Early on the morning of the 25th of October, 1812, a few minutes after daybreak, His Majesty's frigate Macedonian, commanded by Captain John Surman

Carden, in lat. 29 deg. N. and long. 29 deg. 30 m. W., descried a sail to leeward, which, after standing for it some time, was discovered to be an American frigate of the largest class, called the United States and commanded by Commodore Stephen Decatur.

About nine o'clock, the frigates neared each other, and the United States opened her fire, which was immediately returned by the Macedonian; but, by reason of the enemy keeping two points off the wind, Captain Carden was prevented coming as close to him as he wished. In this situation, so discouraging to the officers and crew of the Macedonian, her guns being of so much lighter caliber than those of the enemy, the action raged for an hour; after which the enemy backed and came to the wind, when the Macedonian brought her to close quarters. However, it was soon discoverable that, even then, the superior strength of force of the enemy rendered the British frigate a very unequal match.

Yet, notwithstanding the great disparity of force, Captain Carden maintained the battle for two hours and ten minutes, vainly hoping that some fortunate occurrence might turn the engagement in his favor; during which time, the mizen-mast of the Macedonian was shot away by the board, top-masts shot away by the caps, main-yard shot in pieces, lower masts badly wounded, lower rigging all cut to pieces, a small proportion only of the fore-sail left to the fore-yard, all the guns on the quarter-deck and fore-castle disabled but two, and filled with wreck, two also on the main-deck

disabled, and several shots between wind and water, and a very great proportion of the crew killed and wounded*.

During the engagement, the enemy had sustained but very little damage, in comparison with that of the Macedonian, and had now shot ahead to place himself in a position to rake his antagonist, while she rolled in the trough of the sea, a perfect wreck and unmanageable log‖. At this crisis of the battle, no alternative seemed to present itself to Captain Carden but the painful extremity of a surrender.

The heavy loss sustained on board of the Macedonian, in this eventful and sanguinary engagement, together with the skillful manner in which she was brought into action and maintained the fight, fully evince that neither to a want of courage or a knowledge of naval tatics was the defeat to be attributed; for every effort of both had been exhausted, and every hope of success (even by chance itself,) had disappeared, before the mortifying thought of a surrender had suggested itself; and to have maintained the action longer, would have been a most unpardonable sacrifice of lives rendered, long ere this, truly invaluable to their country.

The loss of the Macedonian was very great: she had thirty-six killed, thirty-six severely wounded, many of whom, on examination, were despaired of, and thirty-two slightly wounded—total loss of the Macedonian, one hundred and four. The loss of the United States frigate is stated, in Commodore Decatur's report, to be

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*Captain Carden's Report to John W. Croker, Esquire, dated 28th October, 1812.

‖Ib.

only seven killed and five wounded; but the vessel was very much shattered both in hull and rigging. Captain Carden states, that after being taken on board the United States, a lieutenant and six men of that vessel were thrown overboard.

"On being taken on board the enemy's ship," says the gallant Carden, in his report, "I ceased to wonder at the result of the battle. The United States is built with the scantling of a seventy-four gun ship, mounting thirty long twenty-four pounders (English ship guns,) on her main-deck, and twenty-two forty-two pounders carronades, with two long twenty-four pounders on her quarter-deck and forecastle, howitzer guns on her tops, and a travelling carronade on her upper deck, with a complement of four hundred and seventy-eight picked men."

The reception which Captain Carden had when taken on board the United States, by the gallant Decatur, was truly characteristic of a brave and generous mind, and must have been a source of consolation to Captain Carden in that moment of disaster. When Captain Carden presented his sword to the American commodore, "I cannot think," said that magnanimous chief, "of taking the sword of an officer who had that day proved that he knew so well how to use it; and, instead of taking his sword, he should feel a peculiar happiness in taking him by the hand."

On the arrival of the news of this victory, the most unbounded joy was evinced throughout the United States; and on the evening of its arrival at Washington, (the capital,) the city was most brilliantly illuminated.

Another naval action, which, too, terminated in favor of the American flag, closes the affairs on the ocean for this year. This was fought by the Java frigate of thirty-eight guns, commanded by Captain Lambert, and

the United States frigate Constitution, now commanded by Commodore Bainbridge*.

On the 29th of December, 1812, the Java being on an outward bound voyage to the East Indies, in latitude thirteen degrees and six minutes south, and longitude thirty-six degrees west, and from ten to fifteen leagues from St. Salvador, discovered a strange sail which was soon ascertained to be the American frigate Constitution.

The Constitution commenced the action by firing at the Java, while at some distance; the Java immediately returned a broadside; both ships begun to near each other, manœuvring alternately to gain a raking position and to avoid being raked; during which an incessant fire was maintained on both sides with grape and round shot.

At two o'clock, P. M., the ships came to close quarters. The battle raged, in this situation, till within a few minutes of three, when the unequal force of the enemy was becoming more and more apparent. The jib-boom of the Java having got foul of the mizen rigging of the Constitution, Captain Lambert endeavored to shoot ahead and extricate himself from the enemy, and rake him fore and aft, preparatory to boarding him; but, while performing this manœuvre, the main-top-mast of the Java was shot away directly above the cap, lost her gaff and spanker-boom, and had her mizen-mast shot away nearly by the board.

During this part of the sanguinary struggle, the gallant Captain Lambert, who had hitherto engaged himself in every part of the ship where the greatest fury of the

*For the strength of the frigate Constitution, see pages 134 and 137.

battle seemed to rage, in animating his brave crew with his presence, and by his skill directing their exertions, now fell, mortally wounded in the breast; and was, of course, in consequence, obliged to quit the command, which devolved on Lieutenant Chads, the first Lieutenant of the ship, who bravely defended the frigate until every source of hope had failed of saving the vessel from falling into the hands of the enemy.

The guns of the Java were completely covered with wreck, and not a spar standing, and the Constitution had been laid athwart her bows, and was in the very instant of effectually raking her decks, before the officer commanding the Java could reconcile his mind to a surrender; but the idea of sacrificing so many valuable lives without the slightest hope of making the least further resistance, only determined him to surrender His Majesty's frigate to the American commander; the only remaining color, which had been made fast to the stump of the mizen-mast, was therefore taken down.

Captain Lambert only survived his defeat six days, when that gallant naval officer surrendered his life, (a valuable one to his country,) covered with wreaths of laurels.

"The Java," says Commodore Bainbridge, in a letter to a friend, dated at sea, 24th January, 1813, "was exceedingly well fought. Poor Lambert, whose death I sincerely regret, was a distinguished gallant officer and worthy man."

The Java had on board a number of passengers for the East India station, amongst whom were Lieutenant General Hislop, appointed to the command of Bombay, with Major Walker and Captain Wood, his aids de camp, besides Mr. Marshall, master and commander in the Royal Navy, proceeding out to assume the command of a sloop of war on the Indian station. Such a determined

defence was made on board the Java, notwithstanding the great disparity of force, that she was so wrecked by the fire of the enemy as to render it impracticable to take her to the United States; she was therefore set on fire and blown up. The prisoners were landed at Saint Salvador, on parole, to return to England.

The loss of the Java, in this engagement, was immensely great. It appears from the report of Lieutenant Chads to the admiralty, that there were twenty-two killed and one hundred and two wounded*; while the loss of the Constitution was only ten men killed and

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*The following letter, (if genuine,) said to have been found on board the Constitution, after the removal of the prisoners into St. Salvador, gives the loss of the Java much higher than the report of Lieutenant Chads. However, the reader, after considering the various inconsistent and ridiculous accounts of the circumstances of the war, from American sources, (as we have only the American account for this letter,) must exercise his own judgment in giving it credence.

"Prisoner on board the Constitution, American Frigate,
St. Salvador, Brazils, 1st January, 1813.

"My Dear Sir—

I am sorry to inform you of the unpleasant news of Mr. Gascoine's death. Mr. Gascoine and myself were shipmates in the Marlborough, and first came to sea together. He was shot early in the action, by a round shot, in his right thigh, and died in a few minutes afterwards. Four others of his messmates shared the same fate, together with sixty men killed and one hundred and sixty wounded. The official account you will, no doubt have read before this reaches you. I beg you will let all his friends and relations know of his untimely fate.

"We were on board the Java for a passage [illegible], when we fell in with the frigate. Two parcels I have sent [illegible] under good care, and hope this will reach you safely.

"Yours, truly,

(signed,) H. D. CORNECK.

"Lieut. Peter V. Wood, 22d Regt. of Foot,
Isle of France or Bourbon, East Indies."

forty-six wounded—by the American report, the number on board of the Constitution is said to be only nine killed and twenty-five wounded.

In point of strength, the Java might be said to be nearly equal to the Guerriere when she engaged the Constitution. True she had a number of extra seamen on board, for the purpose of manning ships of war in the East Indies; but these only crowded her decks and probably rendered the event more unpropitious.

These naval disasters were viewed, by a number of people in England, as a certain precursor of the repression of that naval pride and prowess, in British seamen, which had in such an eminent degree contributed to their ascendancy on the ocean; but, by those better acquainted with the advantages under which an American vessel at all times engaged her antagonist, and of the energy and resolution, even at such times, evinced by the British tars, when all chances of war and every combination of circumstances conspired to operate against them, to an extent capable of subduing all but those in whom courage and heroism had ever been innate and indestructible principles, it was expected they would only stimulate to renewed exertions to recover that proud eminence which they seemed born to hold on their native element.

CHAPTER XIX.

The American Secretary of State transmits to the American Minister in London, certain Documents relative to the Declaration of War—Pursuant to Instruction from the Secretary, Mr. Russel communicates with Lord Castlereah, on the Subject of an Armistice—Mr. Russel's Propositions rejected—Lord Castlereah transmits the Prince Regent's Decision on the foregoing—Mr. Russel obtains an admiralty Order for Protection during his Passage to America—Admiral Sir John Borlase Warren invested with Power to negotiate on Terms of Pacification with the Government of the United States—Communicates with Mr. Monroe on the Subject—Mr. Monroe's Answer.

DURING the period, the events of which have but just been taken in retrospect, negotiations were in progress for the purpose of bringing to a good understanding the differences between the two countries.

A few days after the declaration of war, a letter was addressed to Mr. Russel, the charge des affairs of the United States in London, by Mr. Monroe the secretary of state, bearing date the 26th of June, 1812, enclosing a copy of the President's message and an act of congress, by which the appeal to hostilities was made, together with the report of the committee of foreign relations which brought the subject under consideration.

This letter, after recapitulating the grievances so often repeated by the American government, and stating the impossibility for that nation to surrender her rights, relinquishing the ground which she had taken, and that it was equally incompatible with her interests and character to rely longer on measures which had hitherto failed to accomplish her objects, it proceeds to state that

war was the only remaining alternative; and, that fact being clearly ascertained, he would discover, by the enclosed documents, that it was adopted with decision.

Mr. Russel was further advised in this letter, that although the United States had many just and weighty causes of complaint against Great Britain, yet, if the Orders in Council were repealed, and no illegal blockades were substituted for them—and orders were given to discontinue the impressment of seamen from American vessels, and those restored who had already been impressed—there would exist no reason why hostilities should not immediately cease.

As an inducement (says Mr. Monroe in his letter,) to the British government to discontinue the practice of impressment from American vessels, Mr. Russel should give assurances that a law would be passed (to be reciprocal,) to prohibit the employment of British seamen in the public or commercial service of the United States†.

Agreeably to the instructions contained in Secretary Monroe's letter, Mr. Russel addressed a letter to Lord Castlereah, dated the 24th of August, on the subject of his instructions, in which, after expatiating at length on the unceasing anxiety at all times manifested by his government, to maintain the relations of peace and friend-

†It is probably not altogether unworthy of remark, that the British government, in return for the numerous concessions it was called upon to make, was to rest wholly upon the assurances of the American minister, that a law would be passed at some subsequent period—that is, no doubt, when it would best suit the interests of the United States in its collusions with the French ruler. This is what Mr. Russel, in his letter to Lord Castlereah, already alluded to, calls proof of the spirit which has uniformly distinguished the United States government, in all its proceedings.

ship with Great Britain—of its patience in suffering the many wrongs it had received—and finally of its perseverance, by all the amicable means within its power to obtain redress, it had despaired of ever being able to receive that redress from the justice of the British government, to which it had so often appealed in vain—it therefore conceived (says Mr. Russel,) that a further forbearance would be a virtual surrender of interests and rights essential to the prosperity and independence of the nation confided to its protection, and was therefore compelled to discharge its high duty by an appeal to arms.

Mr. Russel, however, states to his lordship, that notwithstanding the government of the United States, for the preservation of its character as a nation, regarded this as the only course it could pursue, yet he was authorised to stipulate with the British government an armistice to commence at or before the expiration of sixty days after the signature of the instrument providing for it, upon the conditions set forth in Mr. Monroe's letter of the 26th June; and likewise adds, that he was instructed by his government, that such an arrangement would prove much more efficacious in securing to Great Britain her seamen, than the practice for which it is proposed to be a substitute, independent of all the other objections to it.

In reply to this communication of the American charge des affairs, Lord Castlereah, in a letter dated 29th August, informed him that although the diplomatic intercourse between the two countries had been terminated by a declaration of war on the part of the United States, he had not hesitated, under the peculiar circumstances of the case and the authority under which he acted, to submit to the Prince Regent the proposition contained in his letter of the 24th inst., for a suspension of hostilities.

But his lordship did not forget to inform Mr. Russel, that, from the period at which his instructions must have been issued, it was obvious this overture must have been determined upon by his government in ignorance of the Orders in Council of the 23d June; and as a clause in his instructions actually forbid a departure from the conditions already specified, it only remained for his lordship to add that the Prince Regent felt himself under the necessity of declining to concede the proposition therein contained, as being on various grounds absolutely inadmissible.

His lordship, in the same letter apprised Mr. Russel, that the British government, as soon as it had reason to apprehend that Mr. Foster's functions might have ceased in America, in consequence of war having been declared by that government before the aforementioned repeal of the Orders in Council of the 23d June, and the instructions consequent thereupon could have reached him, measures had been taken for authorising the British admiral on the American station to propose to the government of the United States an immediate and reciprocal revocation of all hostile orders, with the tender of giving full effect, in the event of hostilities being discontinued, to the provisions of said order, upon the conditions therein specified.

His lordship, in consequence, as he himself states, declines entering into a detailed discussion of the propositions which Mr. Russel had been directed to bring forward; as his [Mr. Russel's] government had delegated to him no powers to negotiate thereon; and therefore rested the negotiation wholly between the admiral at the port of Halifax, and the government of the United States.

His lordship further expressed his surprise, that a condition preliminary even to a suspension of hostilities, no greater security should be given by the American

government, than a simple assurance that a law should be hereafter passed prohibiting the employment of British seamen in the public or commercial service of the United States; and even on such fallacious security a demand should be made, that that government should immediately desist from its ancient and accustomed practice of impressing British seamen from the merchant ships of foreign nations; yet his lordship expressed the willingness of the British government to receive from the government of the United States, and amicably discuss, any proposition professing to have in view, either to check abuse in the exercise of the practice of impressment, or to accomplish by means less liable to vexation the object for which impressment had hitherto been found necessary.

On the morning of the 1st of September, Mr. Russel received Lord Castlereah's communication containing the Prince Regent's decision regarding the propositions alluded to; upon which the American ambassador addressed a note, on the same day, announcing his intention to embark immediately at Plymouth on board the ship Lark, for the United States; and on the day following, an admiralty order was transmitted to him from the foreign office, for the protection of that ship as a cartel on her voyage to America, and for the free embarkation of his family, retinue and baggage, and the effects of the legation.

During the diplomatic intercourse between Lord Castlereah and Mr. Russel, for the purpose of arresting the progress of the war, Sir John Borlase Warren, admiral of the blue and British naval commander on the Halifax station, opened a correspondence with Mr. Monroe, the American secretary of state, having in view the same object.

Admiral Warren, in a note dated 30th September, acquaints Mr. Monroe of the revocation of the Orders

in Council affecting American commerce, proposing at the same time that the American government should instantly recall their letters of marque and reprisal against British ships, together with all instructions for any acts of hostility whatever against the territories of His Majesty, or the persons or property of his subjects, with a particular understanding that immediately on the receipt of an official assurance to that effect, corresponding instructions should be issued by the British government, preparatory to a final pacification between the two countries.

In answer to the above communication, Mr. Munroe, in a despatch dated "Department of State, 27th October, 1812," after referring to Mr. Russel's correspondence with Lord Castlereah, and its unhappy issue, and expressing his hopes that, as the British government had authorised him to propose a cessation of hostilities, it was doubtless aware of the important and salutary effect which a satisfactory adjustment of this difference cannot fail to have on the future relations between the two countries—he likewise added, that he indulged the hope that the British government, before this period, had invested him with full power for that purpose. "Experience," adds Mr. Monroe, "has sufficiently evinced that no peace can be durable unless this object is provided for."

After the secretary informing Admiral Warren that it was, without further discussion of questions of right, the ardent desire of the President to provide a remedy for the evils complained of on both sides, he proceeds to state, that the claim of the government of Great Britain is to take from the merchant vessels of other countries British subjects; in the practice of which, the commanders of British ships of war often take from vessels of the United States American citizens.

If the United States prohibit the employment of British subjects in their service, and enforce the prohibition, by suitable regulations and penalties, the motive for the practice is taken away. It is in this mode that the President is willing to accomodate this important controversy with the British government, and it cannot be conceived on what ground the arrangement can be refused.

A suspension of the practice of impressment, pending the armistice, (continues Mr. Monroe,) seems to be a necessary consequence. It cannot be presumed, while the parties are engaged in a negotiation to adjust amicably this important difference, that the United States would admit the right, or acquiesce in the practice, of the opposite party, or that Great Britain would be unwilling to restrain her cruisers.

By what parity of reasoning Mr. Monroe could for a moment presume that the British government would immediately suspend a practice by which the strength of her navy was ensured, and her right to which had never been questioned but by America—merely on an assurance that a reciprocal law should be afterwards passed by his government—is a problem not easy of solution.

Mr. Monroe, after making a few explanations on some clauses of Mr. Russel's instructions, adds in conclusion, "that if there were no objection to an accomodation of the differences relating to impressment in the mode proposed, other than the suspension of the British claim to impressment during the armistice, there can be none to proceeding, without the armistice, to an immediate discussion and arrangement of an article on that subject. This great question being satisfactorily adjusted, the way would be opened to an armistice or any other course

leading most conveniently and expeditiously to a general pacification."

However, the instructions transmitted to Admiral Warren by the British government, only authorised him to arrange with the government of the United States, in the event of an armistice, as far as regarded the revocation of the laws which interdicted the commerce and ships of war from the harbors and waters of the United States, while those of France, her adversary, had ever enjoyed that privilege—leaving for a subsequent discussion all other grounds of difference between the two governments. All means which had been hitherto resorted to, for an accomodation between the rival states, having failed, negotiations were stopped; and war continued to be prosecuted with every possible energy on both sides.

CHAPTER XX.

Meeting of the United States Congress—Substance of the President's Message, as regarded the Affairs with Great Britain—Refers to the State of Finance—President's View in declaring War.

On the 3d day of November, being the time appointed by law for the meeting of the United States congress, the speaker, Mr. Clay, took the chair at twelve o'clock; when it was found that thirty-eight members were in their places in the house. In the senate only eighteen members were present; and, that number not being a quorum, both houses were adjourned until next day, when a quorum was present. The committees for that purpose then announced to the president, that the two houses were ready to receive any communication he had to make, when Mr. Madison, by his private secretary, Mr. Cole, presented a message.

After the usual routine of congratulations common to such state papers, Mr. Madison calls the attention of congress to the motives for assembling a large military force under the command of General Hull, in the Michigan Territory, before the declaration of war—representing it as a measure of precaution and forecast, with a general view to the security of the frontier; and in the event of war, to such operations in the upper parts of the provinces of Canada as would intercept the hostile influence of Great Britain over the savages, obtain the command of the lake on which that part of Canada borders, and maintain a co-operating relation with such forces as might be most conveniently employed against other parts.

After adverting to the disasterous result of the expedition under General Hull in the Michigan Territory,

the president states that that defeat "was not without its consoling effects. It was followed," says he, "by signal proofs that the national spirit rises according to the pressure on it. The loss of an important post and of the brave men surrendered with it, inspired, every where, new ardor and determination. In the states and districts least remote, it was no sooner known than every citizen was ready to fly to arms—at once to protect his brethren against the blood-thirsty savages let loose by the enemy on an extensive frontier, and to convert a partial calamity into a source of invigorated efforts.

"This patriotic zeal," adds Mr. Madison, "which it was necessary rather to limit than excite, has embodied an ample force from the states of Kentucky and Ohio, and from parts of Pennsylvania and Virginia."

This annual exposition of national affairs, next adverts to the descent made by General Van Rensselaer on the post at Queenston, on the Niagara River, and of his subsequent defeat and the capture of his army; and ascribes its unfavorable termination to the great superiority of the force with which that army had to contend, and their not receiving timely support by reinforcements*.

The next topic to which Mr. Madison directs the attention of the national legislature, is the disappointment to which their imaginations had been subjected, by not gaining the command of the lakes, as every effort in the invasions made into Canada, aimed to that particular object; however, measures had been adopted to provide a naval force on those waters, which it was confidently hoped, would prove superior to that of the enemy; and from the talents and activity of the officer

*See Battle of Queenston, page 118.

charged with this service, every thing that could be done might be expected; and that the progress made this season would doubtless secure for the next their naval ascendancy, where, as Mr. Madison remarks, it was essential to a permanent peace and control over the savages.

"Among the incidents," says Mr. Madison in his message, "to the measures of the war, I am constrained to advert to the refusal of the governors of Massachusetts and Connecticut, to furnish the required detachments of militia towards the defence of the maritime frontier. The refusal was founded on a novel and unfortunate exposition of the provisions of the constitution relating to the militia -It is obvious," says he, "that if the authority of the United States to call into service and command the militia, for the public defence, can be thus frustrated, even in a state of declared war, and of course under apprehensions of invasion preceding war, they are not *one* nation for the purpose most of all requiring it; and that the public may have no other resource than in those large and permanent military establishments which are forbidden by the principles of a free government, and against the necessity of which the militia were intended as a contitutional bulwark."

The president next adverts to the affairs on the ocean, which he represents to have been as favorable to the arms of the United States as circumstances inseparable from its early stages could well permit them to expect. "Our public ships," says he, "and private cruisers by their activity and, where there was occasion, by their intrepidity, have made the enemy sensible of the difference between a reciprocity of captures and the long confinement of them to their side.

"Our trade," continues Mr. Madison, "with little exception, has safely reached our ports; having been much favored in it by the course pursued by a squadron

of our frigates under the command of Commodore Rogers." Here the American president indulges himself in the most extravagant eulogiums on the skill and bravery of the American navy, seemingly, in his view, transcending any thing that had hitherto appeared on the face of the ocean.

He next refers to the correspondence between Lord Castlereah and Mr. Russel, for arresting the progress of the war; and, after briefly recapitulating the topics discussed by those two functionaries, recommends it as unwise to relax the measures adopted for the prosecution of the war, on the mere presumption of Great Britain giving a favorable reception to the terms of conciliation which they had last submitted for the consideration of that government.

Mr. Madison next takes a cursory review of the relations subsisting between America and the other European powers and the Barbary States; and represents them, notwithstanding the rupture with Great Britain, as nothing impaired, with the exception of Algiers, the regency of which had suddenly banished their consul general; but whether from the transitory effect of capricious despotism or the first act of predetermined hostility, had not been ascertained; but precautions had been taken by the consul on the latter supposition.

With a view to a vigorous prosecution of the war, he called for the particular attention of congress to the insufficiency of the present provisions for filling up the regular army. "Such, "says Mr. Madison, "is the happy condition of our country, arising from the facility for subsistence and the high wages for every species of occupation, that, notwithstanding the augmented inducements provided at the last session, a partial success only has attended the recruiting service—the deficiency has been supplied, during the campaign, by other than regular troops, with all the inconveniencies and expenses

incident to them. The remedy," says Mr. Madison, "lies in establishing, more favorably for the private soldier, the proportion between his recompense and the term of enlistment." The president, therefore, recommended this as a subject highly deserving of their earliest and most serious consideration.

Mr. Madison next recommends, as a subject demanding the earliest attention of Congress, an increase of the number of general officers of the United States army, and the importance of rendering more distinct and definite the different relations and responsibilities of the various departments of the staff establishments, and a revision of the militia laws of the Union. Of the additional ships authorised to be fitted for service, two would be shortly ready to sail; and no delay possible of being avoided, would be allowed in fitting out the residue.

As regarded the financial affairs of the nation, Mr. Madison announced that the receipts into the public treasury for the year ending on the 30th September last, had exceeded sixteen and a half millions of dollars; which had been sufficient to defray all the demands of the treasury to that day, including a necessary reimbursement of nearly three millions of the principal of the public debt; a part of the receipts, however, was a sum of nearly five millions, eight hundred and fifty thousand dollars received into the treasury on account of loans which had been contracted for, under the authority of acts of the last session.

To deny that the country had its difficulties to contend with, although it richly abounded in the most animating considerations, were folly, as every day's experience taught a different lesson. With more than one nation they had serious and unsettled controversies; and with one nation, powerful in the means and habits of war,

they were now at war. The spirit and strength of the nation were, nevertheless, equal to the support of all its rights, and to carry it through all its trials.

Above all, they had the consolation of knowing that the war in which they were then engaged was not a war either of ambition or vain glory; that it was waged, not in violation of the rights of others, but in the maintainance of their own; that it was preceded (says the president,) by a patience without example, under wrongs accumulating without end; and that it was, finally, not declared until every hope of averting it was extinguished by the transfer of the British sceptre into new hands clinging to former councils; and until declarations were reiterated to the last hour, through the British envoy here, that the hostile edicts against the commercial rights of the nation, and against its maritime independence, would not be revoked—nay, that they could not be revoked, without violating the obligations of Great Britain to other powers as well as to her own interests.

"To have shrunk, under such circumstances, from manly resistance, would have been a degradation blasting the best and proudest hopes of the nation; and would have struck it from the high rank where the virtuous struggles of the heroes of the Revolution had placed it; and would have been, on our part, a base betrayal of the magnificent legacy which we held in trust for future generations. It would have acknowledged, that on the element which forms three fourths of the globe we inhabit, and where all independent nations have equal and common rights, the American people were not an independent people, but colonists and vassals.

"It was at this moment, and with such an alternative, that war was chosen. The nation felt the necessity of it, and called for it. The appeal was accordingly made in a just cause, to the just and all powerful Being who holds in his hand the chain of events and the destiny of nations."

CHAPTER XXI.

Extract from the Speech of the Prince Regent of Great Britain, to both Houses of Parliament—Review of that Speech by the Marquis Wellesley, in the House of Lords—Speech from the Throne reviewed in the House of Commons, by Mr. Canning—Remarks

THE foregoing is the view of the war taken by Mr. Madison, at the close of the first year's campaign; and, on the last day of the same month in which the message was delivered, of which the preceding is a recapitulation as far as relates to this subject, the parliament of Great Britain was convened, to whom the Prince Regent delivered an address from which the following is extracted:

"The declaration of war by the government of the United States of America, was made under circumstances which might have offered a reasonable expectation that the amicable relations between the two nations would not be long interrupted. It is with sincere regret that I am obliged to acquaint you, that the conduct and pretensions of that government have hitherto prevented the conclusion of any pacific arrangement. Their measures of hostility have been directed against the adjoining provinces, and every effort has been made to seduce the inhabitants of them from their allegiance to His Majesty.

"The proofs, however, which I have received of loyalty and attachment, from His Majesty's subjects in North America, are highly satisfactory. The attempts of the enemy, to invade Upper Canada, have not only proved abortive, but, by the judicious arrangements of the governor-general, and by the skill and decision with which the military operations have been conducted, the

forces of the enemy assembled for that purpose in one quarter have been compelled to capitulate, and in another have been completely defeated.

"My best efforts are not wanting for the restoration of peace and amity between the two countries; but until this object can be obtained without sacrificing the maritime rights of Great Britain, I shall rely upon your cordial support in a vigorous prosecution of the war."

In the House of Lords, the Marquis Wellesley took an able view of the speech from the throne; and, in adverting to the war with America, he said, that "no attack could be more unjustifiable than that made by America, and that no cause could be more righteous than that of Great Britain."

He denied that the Orders in Council was the cause of this war. "No," said he, "it was upon far different things—it was upon high and mighty interests of the British empire—interests which we could not move without throwing the trident of the ocean into the hands of America. America," said he, "was not to be soothed and fondled into peace—the heads of the government had long been influenced by a deadly hatred to this country, and (unusual as the epithet was,) by a deadly love to France.

"Our policy was plain: our wisest, nay, our most pacific measures would be, to show ourselves ready for the emergency—to present in front of America a force which would make her feel her danger, and feel the importance of purchasing her safety by peace. What had we done? Nothing to intimidate—nothing to punish—nothing to interest her weakness or her wisdom. If there were any hope of putting a speedy end to the war, it was to be accomplished by boldness and decision,

by making the effort while it was still in our power, and by turning upon that war some part of the grand and superabundant strength of our country."

In the House of Commons, Mr. Canning, in reviewing the Prince Regent's address as far as related to the war, said that "it was his sincere and anxious wish, that two nations so related to each other by consanguinity, by one common language and by mutual interests, as Great Britain and America, should not only be in alliance, but, when disputes ran to so great an extent, when once the die was cast and hostilities had commenced, it became this country to be more prompt, by every exertion in our power, to bring the struggle of war to a speedy conclusion. He would go to the extremest verge of forbearance to keep peace; but he would not dilute his war measures into a weak and sickly regimen, unfit for the vigor of the occasion. He would not convert the acute distemper of war into a chronic distemper, and incorporate it with the system.

"The present dispute had grown up with petty profits and small gains, till at last actual war was fixed upon us. Two years ago to have prophesied that, after six months, open war between England and America—America should boast the only naval trophy, and that we could only say that we had not been conquered!—an Englishman would have resented such a prophecy as an insult. He could not consider our military success in America as matter of great triumph. He never supposed we should be conquered by America. He never could have thought the mighty navy of Great Britain would have slept while her commerce was swept from the seas; and that, at the end of six months, we should be found proclaiming a speech from the throne, that the time had, at length, come to be active and energetic, and to show England and the world that England is what England was—never, that we should send our ambassador, with our own ships, to our own North

American towns, and attack the American ports with our flags of truce. There, however, might remain circumstances, yet to be disclosed, to account for this; but he would say, that on the first appearance and on the declaration of war, there was evidently a studied determination to postpone the period of accommodation.

"As for the desire of America to get possession of Canada, it was a project which he thought not likely to be frowned upon severely, even by those parties in America which were considered friendly to us. When urged upon the subject, I know that ministers will reply, that their motives for clinging, to the last, to conciliation were two-fold. First, that they had friends in the United States; second, that before we venture on hostilities we ought to take care that we are indisputably in the right. In both these points I concur; for I have ever thought that the most splendid victories which ever glittered on the page of history were tarnished and obscured *if justice did not hallow the cause* in which they were achieved. I admit that it is also right to temper your conduct by a consideration of the party that favors your cause in the hostile state. In regard to the United States, this rule ought to be observed; and we ought to pay attention to those who were called good Englishmen—not meaning to deny that they are good Americans, but who hold the opinion that an alliance with England is preferable to a treaty with France. Bnt are we quite sure that, by this system of mitigated hostility, we are not playing the game of the party opposed to us, and defeating the efforts of our friends? I cannot help thinking that we injure our own cause by this dubious pusillanimity."

From the foregoing extracts from the two state papers of Great Britain and America, and the review taken in parliament of the Prince Regent's Address, it would appear that both the belligerents accused the adverse party of the original causes of the war, and held it

responsible for its continuance; but it will be left to an impartial posterity, when the rancorous feelings which have been excited shall be no longer recollected, to say to which of the nations the blame was imputable.

America as a neutral nation, before the commencement of the war, certainly exercised a great deal of partiality towards France, while her conduct towards Great Britain was extremely hostile. It was permitted to public armed vessels of France to capture British vessels at the mouths of American harbors, (where they had just taken in valuable cargoes and paid all the requisite duties,) and return them into the same port and sell them as legal prizes; while British vessels had not the common protection of a neutral harbor in any part of the United States.

With respect to the British Orders in Council, of which America had so long and so grievously complained, it has been clearly shown in a former part of this work, that the government of Great Britain, in passing those edicts, was guided by a strict sense of honor towards America, as a neutral nation*.

But, in order to conciliate America, as it was evident a malignant spirit had long existed in that country towards the British government, though the whole Union was by no means infected, the Orders in Council were repealed†,

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*See page 27 on this subject.

†Whereas the president, in his message to congress, has made known to the people of the United States, that the British Orders in Council have been repealed, "in such manner as to be capable

but without the slightest effect in allaying the hostile spirit already manifested.

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of explanations meeting the views of the government" of the United States; and therefore none of the alleged causes of war with Great Britain now remain, except the claim of the right to take British subjects from the merchant ships of the United States—

And whereas, during the Administration of President Washington and President Adams, this claim of Great Britain was not considered as a reasonable cause of war; and under the administration of President Jefferson, the government of Great Britain did offer to make an arrangement with the United States, which, in the opinion of Messrs. Monroe and Pinkney, their ministers placed this subject on a ground that was both honorable and advantageous to the United States, and highly favorable to their interests; and was, at the same time, a concession which had never before been made; and it is highly probable that the government of Great Britain would still be willing to make an arrangement on this subject, which should be alike honorable and advantageoue to the United States—

And whereas, under the administration of President Madison, when the arrangement of the matters in controversy between the United States and Great Britain was made with His Britanic Majesty's minister, David Montague Erskine, Esquire, the impressment of seamen was not considered of sufficient importance to make a conditios of that arrangement—

And whereas all the European powers, as well as the United States, recognize the principle that their subjects have no right to expatriate themselves, and that the nation has a right to the services of all its citizens, especially in time of war; and none of those powers respect the neutralization laws of others so far as to admit their operation in contravention of that principle—and it is manifestly unjust for a neutral power to make war upon one nation, in order to compel it to relinquish a principle which is maintained by the others—&c.

Extract of a Preamble and Order adopted by the Legislature of Massachusetts, 5th Februuary, 1813.

The law of nations has determined the boundaries of the right of blockade: that is therefore a question which of course admitted of no doubt; and on the question of Great Britain reclaiming her own subjects, her right had never been doubted, and any further she never yet claimed; but even made overtures to suspend hostilities, in order to negotiate on the points in dispute.

CHAPTER XXII.

A large American Force marched to the Frontiers of Upper and Lower Canada—Movement of the Western Division of the American Army—General Winchester advances to the River Raisin—Colonel Proctor attacks Generul Winchester in the Village of French Town—Surrender of General Winchester with his whole Force—Affair at Ogdensburgh—Lieutenant Colonel Mc. Donald, of the Glengary Light Infantry, attacks that Post—The garrison completely routed—Review of the Conquest—Remarks.

BEFORE the close of the year 1812, it was manifest from the movements of the American army to the frontiers of Upper and Lower Canada, that on the opening of the campaign of 1813, a descent upon those colonies was menaced in earnest. Measures were therefore immediately adopted by Sir George Prevost, the governor general, for their defence; but the small British force then occupying the Canadas, and the wide extent of frontier the British commander in chief had to defend, rendered it impossible, at any one spot, to cope with the enemy in point of numbers.

The American army, to whom was committed at this time *the honor of conquering Canada*, was divided into three divisions denominated, from the positions they had taken, the Army of the North, commanded by General Hampton, and stationed along the southern shore of Lake Champlain, on the south precincts of Lower Canada; the second, the Army of the Centre, consisting of seven thousand effective men, which was again subdivided into two, commanded by Generals Dearborn and Wilkinson, were posted from Buffalo, at the Lower extremity of Lake Erie, to Sackett's Harbor at the Lower end of Lake Ontario; and the third, the

Army of the West, consisting of "eight thosand effective men*," commanded by Generals Harrison and Winchester, whose limits extended along the south shore of Lake Erie, from Buffalo westwardly as far as the British frontier extended.

The shameful and unlooked for surrender by General Hull of the whole Michigan Territory with all the regular and militia forces under his command, had so completely astounded the American government, that no effort had been made, up to this period, to recover their lost possessions by that surrender. The army under Generals Harrison and Winchester was therefore directed to that enterprise, after which it was to co-operate with the other two armies in the invasion of Canada.

General Winchester, certainly unadvisedly, advanced to the village of French Town on the River Raisin, about eighteen miles from Detroit, and about thirty-four miles from the rapids of the Miami, with the advance of the army consisting of "one thousand effective men†," chiefly composed of the Kentucky volunteers. With this force General Winchester meditated an attack upon Detroit, with a view to force a capitulation, as a preliminary to the descent upon Upper Canada.

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*American Account.

†General Harrison's Letter to Governor Meigs, dated, Head Quarters, North Western Army, Rapids of the Miami, 13th June, 1813.

It may not be improper to remark that the number which General Winchester had under his command, at the River Raisin, is stated in British accounts to be eleven hundred.

"Too confident in the fears of the enemy‡," for his own good, General Winchester very incautiously advanced too far. Colonel Proctor, to whom was committed the command of the British forces on that part of the lines, moved out with a body of regulars and militia consisting of five hundred and forty-seven, including officers and men, and about two hundred Indians, in order to dislodge General Winchester from his position. On the evening of the 21st of January, the enemy was first discovered, with his right wing lodged in the houses in the village, each of which was strongly defended by stockade work, and formed, as it were of itself, a little fort: his left wing had fortified themselves in the rear of a picket fence.

About daylight, on the morning of the 22d, the attack was commenced on the right wing of the American army, and such was the ardor and impetuosity displayed by the British forces employed in the attack, that, in fifteen or twenty minutes from the commencement, that wing was completely dislodged and driven across the river in disorder; but a body of Indians, that had been purposely posted in their rear, intercepted their retreat, and the whole was either killed or taken prisoners. Colonel Proctor followed up the attack upon the left wing; but, as their position was yet more strongly fortified and their strength more easily united, they were enabled to sustain an action of nearly an hour and a half, in which they received three or four successive charges; but finding themselves outflanked, and by their position which, in consequence of the nature of the ground, it was impossible to change, they were in danger of being enfiladed.

Terms of capitulation were agreed upon, by which the whole of General Winchester's command that had

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‡American Account.

survived the fury of the battle were surrendered prisoners of war, amounting to upwards of six hundred*. In this sanguinary engagement, the loss of the Americans, in killed and wounded, was nearly five hundred†; while that of the British was only twenty-four killed and one hundred and sixty-one wounded.

The next affair in succession occurred at Ogdensburgh, a post on the American side of the River St. Lawrence, on the morning of the 22d February, 1813. The expedition, was undertaken, in pursuance of an order from Sir George Prevost, who had arrived at Prescot the day previous, with a view effectually to stop certain predal inroads of the enemy‡.

About sunrise on the morning of the 22d, Lieutenant Colonel Mc. Donald, of the Glengary Fencible Light Infantry, with most of the Garrison of Prescot under his command, consisting of about five hundred men, composed of regulars, fencibles and militia, crossed the St. Lawrence, on the ice, which at this place is about a mile and a quarter in width. The British forces, under Lieutenant Colonel Mc. Donald, were divided into two wings, the right of which was commanded by Captain Jenkins of the Glengary Fencibles, and was ordered to attack the enemy's left, and, if necessary, to cut off his retreat. Capt. Jenkins moved on with his detachment

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*Letter from General Harrison to Governor Meigs, dated at Portage River, 29th January, 1813.

†Colonel Proctor's Despatches, dated 25th January, 1813.

‡A horde of marauders, who for a length of time had made the village of Ogdensburgh their chief place of resort, were in the continual habit, by their nocturnal predatory incuroions, of infesting the peaceable and defenceless inhabitants within their reach, residing along the Canadian side of the River St. Lawrence, remotely situated from a military post.

to execute the orders he had received; while Lieutenant Colonel Mc. Donald marched forward toward the enemy's batteries in the town. Both wings, but especially that under Captain Jenkins, while crossing the river, were exposed to a galling oblique fire from the American batteries; and the snow being uncommonly deep on the ice, very materially obstructed their passage. The columns, however, advanced in the face of every opposition; and that under the command of Lieutenant Colonel Mc. Donald, first gaining the American shore, proceeded to drive the enemy from his strong-holds.

The American troops, who were stationed on the banks to oppose the columns in their approach to the land, fled towards the works in confusion. The left wing then ascended the height, and under a heavy fire of artillery from the fort, drove a column of the enemy's infantry to the woods for shelter. Colonel Mc. Donald then proceeded to the first battery, which he carried at the point of the bayonet. Captain Eustace then, with a detachment of the same wing, made his way into the main fort, in order to follow up the success; when he drove the enemy from the works, who left the fort in the utmost confusion, by an opposite sallyport, in pursuit of their companions, who had previously taken refuge in the woods.

About the same moment that Colonel Mc. Donald's division drove the enemy's infantry towards the fort, Captain Jenkins had made the shore, and with his division was charging a seven gun battery, covered by a body of infantry, two hundred strong, who maintained a galling fire upon him with musketry, while the battery continued to pour upon him the most tremendous showers of grape and canister.

At the very commencement of this charge, the brave Jenkins received a wound with a grape shot in his left arm, which literally shivered it in pieces; still his courage

nothing abated, he continued to lead on his gallant followers to the assault, when he received a severe wound in his right arm; yet with the most enthusiastic gallantry did he continue to advance at the head of his little band of Spartans, cheering them forward, until by the loss of blood and the increasing pain of his wounds, he fell in the snow completely exhausted. The command of the right wing then devolved on Lieutenant Mc. Auley, of the same corps, who continued the charge upon the enemy's works; but, for want of discipline, the militia were unable to maintain their order through the snow, and keep up with the more disciplined troops; that division was, therefore, forced for a time to retire without effecting its purpose.

Sir George Prevost, in his despatches to Earl Bathurst, when detailing this affair, dwells emphatically on the gallantry and self devotion to the service of his king and country, of the brave Captain Jenkins, and earnestly recommends him to the peculiar favor and protection of His Royal Highness, the Prince Regent.

In this brilliant enterprise there was captured from the enemy a vast quantity of military and marine stores, together with eleven pieces of ordnance. Two schooners and two or three gun boats which were laid up in the harbor, with the military barracks, were all committed to the flames. About eighty prisoners, four or five of whom were officers, were also taken and marched to Prescot for further disposal.

Much has been said by American writers regarding the conduct of the combined forces at the affair of Frenchtown. They have not even stopped to charge British officers and soldiers with the most enormous cruelties, committed in conjunction with the Indians, when it was in their power to have prevented them. Such have been the contemptible misrepresentations to which many publications, otherwise deserving merit, have de-

scended, as well of this as many othor affairs during the war; and even amongst a few British subjects they have gained credence.

General Harrison, however, in writing his despatches to Governor Meigs, as well as several officers of his army who avail themselves of the General's express to write to their friends in Chilicothe, in most of their letters give the details of the battle, but seem to be ignorant as regards the greatest part of that "massacre" as it has been gravely termed. It is gathered from these despatches and letters by a Chilicothe Journal of the 2d February, 1813, that "those who surrendered themselves on the field of battle were taken prisoners by the British, while those who attempted to escape were pursued, tomahawked and scalped." Now, even this account, in part, is incorrect; for the Indians, by whom they were assailed in the rear, were posted there for the express purpose of cutting off their retreat; and those who surrendered to the Indians were safely conducted to the British camp; but such was the panic with which these unfortunate fugitives were seized, that no persuasion on the part of the Indian chiefs, who were fully disposed to comply with the orders of General Proctor, could prevail on them to surrender until they were either wounded and taken, or overtaken in the chase by their pursuers, when no efforts of the chiefs could save them from their fury.

In a letter containing copies of despatches from General Harrison, dated 24th January, 1813, it is stated, "that when the attack commenced, General Winchester ordered a retreat, but, from the utter confusion which prevailed, this could not be effected; and he then told them to take care every man for himself, and attempted to make his own escape on horseback, but was overtaken before he had gone a mile, by the Indians, *and killed and scalped. His body was cut up and mangled in a shocking manner, and one of his hands cut off.*" Now,

here is an awful Indian tale, manufactured as many others have been of the like description, which turns out to be a mere fabrication; for when General Winchester found himself pursued in his attempt to escape, he with a few others surrendered themselves to a chief of the Wyandot nation, and not a hair of their heads were hurt, *except the injury received from the fright.*

It is also stated in the same letter, that Colonels Allen and Lewis were among the slain; in contradiction of which, in General Harrison's letter to Governor Meigs, dated 29th January, it is stated that General Winchester, Colonel Lewis and Brigade Major Gerrard are among the prisoners. The conclusion is plain, that had those deluded people not have been overcome by fear, and surrendered themselves at once, they might have enjoyed the same safety as did General Winchester and his companions.

CHAPTER XXIII.

Invasion of York, Upper Canada—Fall of the Redoubts defending the Harbor and Citadel—Explosion of a Magazine within the Citadel—General Pike dangerously wounded by the Fall of the Timbers, &c.—Retreat of General Sheaffe and the Surrender of the Town—Loss of the two Armies—Invasion of the Niagara Frontier—A vigorous Defence made by the Regulars and Militia employed in the Defence of that Post—The British compelled to retreat—The American Army moves on Burlington Heights—The American Army attacked, under Night, in their Camp at Stony Creek—Defeat of the American Army—American Force retreats to Fort George—British Forces, under General Vincent, follow the Enemy—Affair at the Beaver Dams.

In the month of April, 1813, the ice having completely broken up in the port of Sackett's Harbor, where the American squadron under Commodore Chauncey had wintered, General Dearborn, commanding the right division of the Army of the Centre, consisting of four thousand men stationed in that vicinity, selected two thousand of the most efficient of his division*, and on the 22d of the month embarked them on board the fleet with which he ascended the lake, and with this force appeared off the harbor of York, the capital of Upper Canada, on the morning of the 27th.

The enemy appearing to threaten an attack upon the town, General Sheaffe collected his forces which consisted of about seven hundred men, including regulars and

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*American History of the War, published in New-York.

militia, with about one hundred Indians; and with these he made a most determined resistance to the landing of the enemy; but at length, overcome by numbers, he was compelled to retire; by which means the enemy was enabled to effect his landing a short distance above the fort, which was situated about two miles to the westward of the town, at the entrance of the harbor.

So soon as the American troops, who were led on by General Pike, had made good their landing, they formed into two lines, (the front of which was commanded personally by General Pike, and the rear or reserve line by Colonel Pearce,) and in this order advanced upon the first battery and carried it by assault; they then advanced towards the citadel in the same order, and by the same means captured an intervening battery.

Here the columns halted, in order to dress the lines for an attack upon the main works. At this moment a large magazine accidentally exploded, by which a quantity of stones and timbers were thrown into the air, and in their fall killed and wounded a number on both sides, amongst whom was the American General Pike.

The British regulars and militia, highly appreciating the charge committed to them by their king and country, in the defence of the capital, performed prodigies of valor; but being overpowered by a force nearly three times their number and in a high state of discipline‖, they were compelled to retreat towards the town.

General Sheaffe then held a council with his principal officers and the civil authorities of the town, by whom it was advised that he should retreat towards Kingston

‖The American troops had been preparing for this expedition the whole winter, and no pains had been spared in their discipline.

with the remainder of His Majesty's troops; and that the commandant of militia should treat with the American commander for terms for the surrender of York.

At the capture of York, the British lost not less than four hundred, three hundred of whom were made prisoners of war, and about forty killed and wounded by the explosion. The Americans lost three hundred and seventy-eight, thirty-eight of whom were killed and two hundred and twenty-two wounded by the explosion of the magazine. General Pike died of his contusions a few minutes after being carried on board one of the vessels.

On the 8th of May, the American army under General Dearborn once more evacuated York, from whence they proceeded again to Sackett's Harbor, where preparations were immediately made for invading the Niagara frontier. The necessary preparations being completed, the American fleet, on the 23d of the same month, again ascended Lake Ontario, and on the morning of the 27th, appeared off the harbor of Newark.

The morning proved very favorable to the invaders, as a dense fog had settled on the river and the margin of the lake for nearly half a mile out; and consequently they were not perceived until the flotilla of boats bearing the troops of the enemy were within a few rods of the shore. The boats employed in the transportation of the enemy from the right bank of the river, fell down the river under cover of the fog, until they joined those disembarking from the fleet, where the whole landed on the beach, on the right side of the entrance of the harbor.

So soon as the enemy's fleet made its appearance before the harbor, the garrison was placed in the best possible posture of defence; and a vigorous stand was made by General Vincent to the landing of their troops;

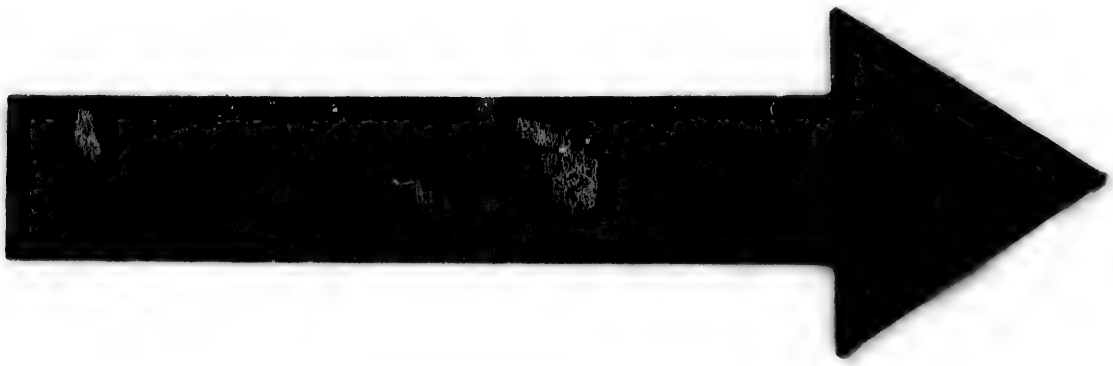
but being overpowered by the numerical strength of the assailants, it was found necessary to spike the guns, destroy the magazines, and retire as well from the main fort as from the outworks, though not until a loss had been sustained on the part of the British of nearly three hundred and fifty including regulars and militia.

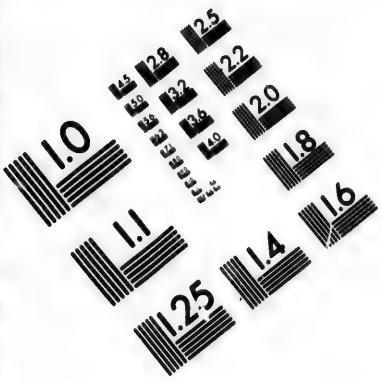
It was evident from the conduct of the Canadian militia at the captures of York and Fort George, that they were fast attaining to a high state of military discipline. The marked coolness and fearless intrepidity with which the York and Lincoln militia resisted the approach of the enemy towards their shores, would have reflected honor on a band of veterans long accustomed to "the din of arms."

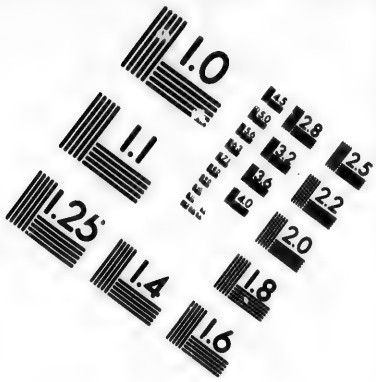
The Americans moved forward in three strong brigades, under Generals Chandler, Winder, and Boyd, with an advance of light troops and riflemen, under Colonels Scott and Forsyth, the whole commanded by General Lewis the next in command to General Dearborn, whose low state of health at this time compelled him to keep his bed, from whence he issued all his orders. The loss of the Americans, according to their own account, at the action before Fort George, was not less than two hundred.

General Vincent continued his retreat as far as Burlington Heights, near the head waters of Lake Ontario; and, on the 1st day of June, was followed by an American army of three thousand five hundred infantry and about three hundred cavalry, commanded by Generals Chandler and Winder, for the purpose, as was vainly boasted, of making prisoners of the whole British army, and thus terminate the contest of the north-western frontier.

On the evening of the 5th, the enemy's forces encamped near the village of Stony Creek, about nine miles







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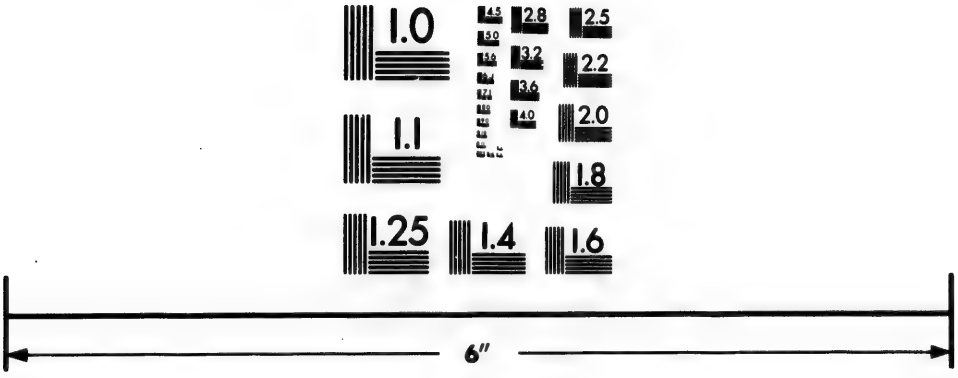

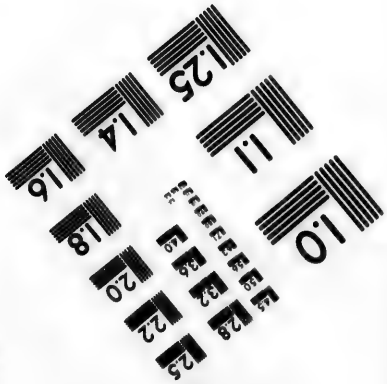

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from the British cantonments, with full purpose to close up with the British next day and attack their position. But General Vincent, who had taken every pains to ascertain the strength of the force with which he was menaced, despatched Colonel Harvey with two companies of light infantry, to reconnoitre their camp; and from the report of that officer, General Vincent was resolved to attack them that very night.

All the troops, both regulars and militia, that could possibly be spared from the garrison at Burlington Heights, together with those who had retreated from Fort George, amounting in all to about seven hundred, were ordered to be in readiness for a movement. Immediately after dark, they commenced an advance towards Stony Creek, where, after several halts, in order to reconnoitre the country through which they were marching, they arrived between one and two o'clock of the morning of the 6th of June. Immediately the quarter guard of the enemy was surprised and taken, and the assailants rushed into the camp where all was in apparent security. But such a scene of carnage commenced—the huzzas of the beseigers, the yells of the Indians led on by Captain Brant, the clashing of bayonets and above all the thunder of the cannon and musketry, rendered it truly appalling. A column of the enemy was at length formed into some kind of order, but to no purpose; they were by this time completely unnerved and dispirited, which, together with the darkness of the night and the clouds of smoke, threw them into the greatest confusion and disorder. Not so, however, with the British troops, their plans had been so well concerted that every man knew the rallying signal; they were, therefore, at all times beyond surprise. The American army, being completely discomfited, retreated fromtheir bivouac in the greatest confusion.

As soon as General Vincent had completed the defeat of the enemy, he again fell back upon Burlington Heights, taking as trophies of his victory three field pieces and a brass field howitzer, captured from the enemy, besides both their generals and about one hundred and fifty officers, sergeants and rank and file.

After the defeat at Stony Creek, the American army, in the most indiscribable terror, retreated towards Fort George, without the least military order or subordination: in fact, such officers as could avail themselves of horses on the road, regardless of the means employed for that purpose, took them and made their way to the lines with all possible speed, and left the rest of the army to shift for themselves; they therefore retreated in small detached parties, some of whom had exonerated themselves of their arms and equipments. Thus did they travel towards their head quarters in parties of from two or three to a dozen; and were, in compassion for their sufferings, succored by those very people whose houses, a day or two previous, they had ransacked and plundered.

A short time afterwards, General Vincent, receiving some reinforcements, marched towards Fort George with a view to invest that post. He formed his line on the Four Mile Creek, with his left resting on the lake.

General Lewis, who now had the full command of the American army, (General Dearborn having resigned,) finding his advanced posts and foraging parties continually harrassed and frequently made prisoners by small detachments of British troops stationed at different posts through the country in order to maintain a communication that supplies might be received in the camp, despatched Colonel Boerstler with about six or seven hundred men to disperse these small camps so annoying to his army. The American Colonel was however attacked by a body of Indian warriors headed by Captain Brant,

supported by a piquet of nearly one hundred men, near the village of Beaver Dams; and such was the terror of Colonel Boerstler and those under his command, that he surrendered himself and his whole force to Colonel Bishop.

CHAPTER XXIV.

An Expedition formed at Kingston against Sackett's Harbor—Failure of that Expedition—Affairs in the Neighborhood of Detroit—General Proctor marches a Force against Fort Meigs—Arrival of General Clay with a Reinforcement for the Army under General Harrison—An Attack upon the British Batteries—The British, in turn, attack the American Position—The Americans suffer a total Defeat—Loss sustained on both Sides—General Proctor returns to Detroit.

DURING the operations on the Niagara frontier, an expedition was fitted out at Kingston for a descent upon Sackett's Harbor, under a mutual arrangement between Sir George Prevost the commander in chief and Sir James Lucas Yeo the British commodore.

On the 28th of May, the expedition was ready for sailing. It consisted of thirty-three gun boats, each carrying a proportion of troops, accompanied by the commodore's flag-ship About ten o'clock that night, they weighed anchor and stood for the American side of the lake. On their appearance before Sackett's Harbor, the alarm was instantly given; and the regulars and militia, posted in the neighborhood, hurried to the relief of the troops left by General Dearborn for the defence of the place.

Colonel Baynes, who commanded the British troops on this expedition, lost no time in effecting a landing, though in the face of a large body of American militia under Colonel Mills, posted on the beach for the purpose of opposing their debarkation. No sooner had the British troops formed on the beach and thrown in a volley upon the enemy, than they fled in confusion. The

grenadiers of the 100th Regiment formed the British advance-guard, who gallantly drove the enemy from every post of which they had taken possession.

General Brown, of the United States militia, having collected a large force, hurried to Sackett's Harbor where he assumed the command of the whole; and, advancing, attacked the rear of the British, while they were assailed in front by the batteries, which completely disconcerted the movements of the troops for a moment.

Colonel Baynes perceiving from the immense force which was now opposed to him, that it would be impossible to attain the primary object of the expedition, it was therefore deemed advisable to abandon the enterprise; the troops were accordingly re-embarked, after having sustained a loss of two hundred and fifty-nine in killed, wounded and missing, while that of the enemy must have been double that number.

Had the object for which this expedition was planned succeeded, namely, the capture of the town and arsenal, the American loss would have been immense, as this was the grand depot for the whole naval and military stores for the service of the lakes and the Army of the Centre as well as the militia in that vicinity. Already had the enemy burnt a quantity of the stores, with an intention no doubt of evacuating the place, when General Brown arrived with a large reinforcement which immediately arreste[d] the current of victory.

The movements [in t]he neighborhood of Amherstburg and the Michigan and Ohio frontiers, are next in succession for consideration. After the signal defeat of General Winchester at the River Raisin, General Harrison took up a position with the whole remaining force, consisting of two thousand, five hundred men, at Fort Meigs, a post on the left bank of Maumee river, there to await the arrival of reinforcements to enable him,

with effect, to attack forts Detroit and Amherstburg. The American commander had employed every means which art could suggest, in order to strengthen Fort Meigs: he had so completely entrenched himself as to bid defiance to an assault by any British force which could in that quarter be brought against him.

About the 20th of April, 1813, General Proctor collected a force of about nine hundred and thirty men including four hnndred and sixty of the militia, besides twelve hundred Indians, at Detroit, and embarked them on board a flotilla of gun boats and batteaux, whence they proceeded across the lake to the mouth of Maumee River which they ascended about twelve miles, and landed at Fort Meigs, the position of General Harrison. Here the construction of batteries was immediately commenced; but owing to the torrents of rain which continued to fall during the whole period the batteries were being erected, rendered it impossible to complete them before the first of May; on the morning of which a regular siege was commenced upon the enemy's fort, but without making the least apparent impression.

A detachment consisting of the flank companies with a field-piece was then selected to cross the river with a view to enfilade the enemy's position, while an incessant fire was maintained by the artillery upon both sides until the morning of the 5th, when an officer arrived at Fort Meigs with a small detachment from General Clay's division, bearing intelligence that that general was now only a few miles distant, on his way to reinforce the garrison of Fort Meigs with his whole division consisting of thirteen hundred men. On this information, General Harrison immediately despatched an express to General Clay, with orders that he should land the troops under his command on the right bank of the river, with a view to penetrate and destroy the British batteries and spike the guns. At the time General Clay was met by the courier from General Harrison, he

was only a short distance from Fort Meigs: he immediately passed to the opposite side of the river, and after examining the banks for some distance downwards, found a convenient place to disembark. After landing, the troops were formed into two columns, the command of the front of which was confided to Colonel Dudley, which was intended for the attack. In this order they advanced so rapidly on the British batteries, and had so completely eluded the view of the sentinels, that within a few minutes, and without the loss of a single man on their part, they had executed General Harrison's orders, and taken a few prisoners.

At the moment that Colonel Dudley commenced the assault upon the British batteries, General Harrison made a sortie with his whole force upon the flank companies; but their defence was so determined, that he was completely foiled in every assault. The British reserve troops were immediately rallied, amounting to about two hundred including regulars and militia, the most of the latter being employed by the commissariat, collecting supplies for the troops. This small detachment, under the gallant Captain Muir of the 41st Regiment, advanced upon the enemy who was strongly posted in line in rear of the British batteries, with his right resting on the river, his centre extending through a clear space, while his left was lost to view in the adjoining woods.

So soon as Captain Muir advanced within view of the enemy's line; he formed line within the verge of the woods, with files a little extended, and in this position threw in a well directed volley upon the enemy's right. The enemy immediately returned the fire; after which, for some time, an incessant fire was maintained upon both sides with great effect. It was evident, however, that the British, whose number was originally small, was fast decreasing, when the brave and intrepid Captain Chambers of the 41st Regiment, who had previously

equipped himself with the arms and accoutrements of an unfortunate soldier of his own regiment, who had already fallen in the field, exclaimed, "This will not do—we must charge them."

The order to charge was instantly communicated along the line, when immediately the little band, chiefly composed of the 41st Regiment supported by a few militiamen, emerged from the woods, with the gallant and fearless Muir at their head, and his brave coadjutor Chambers on the left, (at once performing the duty of a *soldier* in the double capacity of an officer and private,) and rushed upon the right of the enemy's column. This movement was as gallant as it was prompt and decisive, and entirely confirmed the fortunate issue of that brilliant achievement: the enemy hesitated, wavered, and at length gave way; the panic was immediately imparted throughout their whole line, when they turned in confusion and retreated towards their boats, spreading terror in their flight; but the Indians, who all this time had remained silent spectators of this sanguinary struggle, watching for a favorable moment to commence the work of death, intercepted their retreat; and, before they could reach their boats, upwards of six hundred and fifty of them were killed.

The enemy's loss, in this affair, in killed, wounded and prisoners, was no less than eleven hundred and forty-five. Among the killed was the American Colonel Dudley, a brave, intrepid and magnanimous officer. The British lost, in the action of the 5th, fourteen killed and forty-seven wounded. Of this loss the 41st Regiment alone had eleven killed and thirty-nine wounded.

After the action, General Proctor was informed by the Indian chiefs, that it was impossible to restrain their warriors from their ancient and established custom of returning home to their villages, after a battle of any consequence, (as was the action just fought,) to enjoy

themselves in a revelry in the plunder they had acquired; he was, therefore, on the 9th of the month, compelled to embark his guns and stores, under the fire of the enemy's batteries, and henceforth abandon the enterprise.

CHAPTER XXV.

Action between the Peacock and Hornet—The Peacock surrenders and Hoists a Signal of Distress—Loss of the two contending Vessels—Reception of Captain Lawrence in the United States—Captain Lawrence appointed to the Command of the Chesapeake—Affair between that Frigate and the Shannon before Boston Harbor—Surrender of the Chesapeake—Loss of both Frigates—Remarks—Action between the British Sloop of War Pelican and the United States Sloop of War Argus—Surrender of the Argus—Loss sustained—Engagement between the Brig Boxer and the Brig Enterprise.

It is proper, in this period of the narrative, to take a retrospect of the naval operations of the year, both as respects the seaboard and the lakes of Upper Canada; as much of the movements of the land forces on the Canadian frontiers to the westward, depended on having the command of Lake Erie. Hitherto the arms of Great Britain, by land, (a few unavoidable reverses excepted,) have been covered with victory, notwithstanding the great superiority of numbers with which they had at all times to contend. The national skill, and the heroic courage of the navies of the belligerents appear to be more on an equal footing. There are causes, however, to which this equality in naval gallantry and skill is to be ascribed, and to which, in a former part of this work has already been alluded.

The naval actions of any consequence, during the year 1813, were commenced by the British armed brig Peacock, Captain William Peake, and the American armed brig Hornet, Captain Lawrence, off the coast of Demarara, in latitude nearly six degrees north, longitude 50 degrees west.

On the 24th of March, Captain Peake discovered the Hornet beating against the wind, for the purpose, as would appear, of coming up with an English brig lying at anchor near the Carabona banks, on that coast. The Peacock immediately stood for her under a crowd of canvass, which Captain Lawrence, perceiving, put about and laid his course to meet his adversary.

About half past five o'clock, P. M., the vessels arrived within range of shot, and almost at the same moment of time each fired a broadside. The action was maintained, for about fifteen minutes, with the utmost vigor upon both sides; the Hornet was then laid upon the starboard quarter of her antagonist, for the purpose of raking her, while the Peacock was crippled in such a manner that it became impossible to fetch her round. In this position the battery of the Hornet was so ably directed in raking her, that she was found to be sinking, and was therefore, in a few minutes, compelled to strike her flag and hoist a signal of distress at the same moment. Captain Lawrence, perceiving a signal of distress on board of his vanquished enemy, immediately despatched his boats in order to save the crew; but in spite of every effort, the Peacock went down, carrying with her nine of her own crew and three of the Hornet's, who were with a humane and laudable zeal exerting themselves for the safety of the wounded.

The loss of the British, in killed and wounded, in this action, was thirty-eight, five of whom were killed, amongst which number was the gallant Captain Peake. The American loss was trifling, being only one killed and four wounded*.

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*Captain Lawrence's Report to the Secretary of the Navy.

On the arrival of Captain Lawrence in the United States, he was every where greeted with the enthusiastic plaudits of his grateful country; and was, by the government, as a mark of its approbation for his consummate skill and courage, appointed to the command of the Chesapeake frigate, then repairing in the harbor of Boston.

When Captain Lawrence arrived at Boston to assume the command of the Chesapeake, the Shannon and the Tenedos, two British frigates, were cruising without the harbor. With a view to afford Captain Lawrence and his country a full opportunity of testing the relative skill and prowess of the British and American navy, Captain Broke, of the Shannon frigate, ordered the Tenedos to lay her course to the ocean, and at the end of a month to join him at the same place.

The Tenedos having separated, Captain Broke wore the Shannon down into the mouth of Boston harbor, coming close by the light house, having the British colors flying at the mast head. This was a naval challenge of which Captain Lawrence did not affect the least ignorance, but with as little delay as possible got ready for sea.

On the 1st day of June, between twelve and one o'clock, the Chesapeake weighed anchor and stood out to meet her adversary. Much naval skill was displayed upon both sides in manœuvring the ships for the action; and about half past five o'clock, P. M., the ships arrived within range of each other's cannon. The beach was literally covered with spectators as far as vision extended, to witness these two naval champions contend for the honor and glory of their country—nay, Captain Broke had yet something more to achieve: the trident had been partly, in the eyes of the world, wrested from the hand of Britania by the very nation, the champion of which he was now about to encounter, and that too

on his own shores. A more than common interest seemed to pervade all classes of the spectators, when these naval *gladiators*, as it were, entered the *arena*. The Chesapeake had, in imitation of the Shannon, a national color at each mast head, on one of which was the inscription, "free trade and sailor's rights." These two ships proudly tossed before them the white surf of the ocean, in nautical manœuvring, as if in defiance of each other. At length, about half past five o'clock in the evening, they came to close quarters, and the battle commenced. No sooner had they exchanged a few broadsides than the Chesapeake dropped her quarter on the anchor of the Shannon, and thus they became foul in each other's rigging. The fire from both ships at this time was truly tremendous; but such was the coolness and intrepidity displayed by the British, and such the effect and precision of their fire, that the enemy was completely driven from his quarters. The boarders of the Shannon were immediately summoned; and with Captain Broke at their head, they rushed on the enemy's decks.

At this crisis of the engagement, for a few moments, a most confused and disorderly struggle ensued; but the enemy was forced, by the boarders, from every post of which he had taken possession, and ultimately called for quarters. The American flag was struck and the British flag hoisted in its stead—the whole of which was accomplished in fifteen minutes from the commencement of the action.

The brave Captain Lawrence, of the Chesapeake, was severely wounded at the commencement of the action, but refused to leave the deck; he still, leaning on the companion-way for support, continued to issue his orders with the same degree of coolness; but while calling up the boarders, he was wounded through the body by a musket ball which brought him to the deck, and while carrying below by his companions, gave his last

heroic command—"*Dont give up the ship*," which mandate has since become proverbial amongst American seamen.

The loss of the Shannon, in this short but sanguinary affair, was twenty-three killed and fifty-six wounded: amongst the latter was the brave Captain Broke, who was wounded in the head with a cutlass in the affray on the deck of the Chesapeake, while attempting to save some of the Americans from the fury of his boarders, at the moment when he conceived himself to be in the arms of victory. The loss on board of the Chesapeake was forty-seven killed and ninety-three wounded. The gallant Captain Lawrence died of his wounds, in four days after the action; so also did the first lieutenant Ludlow: they were both carried into Halifax, and there interred with the honors of war. The pall was borne at the funeral by six of the oldest captains on the Halifax station, then in port.

It has been asserted by American writers, with a view no doubt to eclipse the glory of this achievement, that much depended on the relative strength of the two frigates in deciding the victory. It is true the Shannon mounted fifty-three guns while the Chesapeake mounted only forty-nine, a difference of four guns in favor of the British. But while this is admitted, (which of itself is not sufficient to warrant a victory in so short a period, between two ships of such great force,) it should also be known, that on board the Chesapeake there was a complement of 440 men, all stout, young and in good health; while on board of the Shannon there were but three hundred and thirty men, making no allowance for sick, which that there were such on board, was more than probable, as she had not been in port for some months previous. This leaves a difference of one hundred and ten men in favor of the Chesapeake. Captain Lawrence was fully aware of the force to which he was

about to be opposed; there can therefore be no question but he put out to sea prepared in the best possible manner for the contest.

The capture of the Chesapeake was the precursor to another naval triumph. It seemed only to evince that British seamen were in that day what they had ever been, and what they would continue to be until the end of time, when opposed to any thing like an equal force, always invincible on their *native element* to their enemies to whatever nation under the sun those enemies belonged.

On the morning of the 14th of August, His Majesty's sloop of war Pelican, commanded by Captain Maples, while cruising the British channel, perceived a strange sail at some distance, which on closer examination was found to carry American colors and crowding all canvass. As the Pelican bore up to her, she hauled in and cleared away for action.

The British commenced the engagement with three cheers; and for forty-five minutes both vessels maintained a most desperate and sanguinary conflict, after which the Pelican was laid on board the enemy and the boarders summoned; but at the very moment when the boarders were about to assail the enemy on his own decks, he hauled down his colors.

The enemy proved to be the United States sloop o war Argus, commanded by Captain Allen. In the firs of the engagement, Captain Allen was wounded in the left leg about the knee, for which he had to suffer amputation in the thigh, and of which he died next day.

The loss on board the Pelican was two killed a..d six wounded: on board the Argus, the killed and wounded amounted to forty. Amongst the wounded of the Argus

was the lieutenant, who was also with the the captain wounded early in the action.

The next engagement to be recorded, was fought at some distance from the entrance of Portsmouth harbor, on the coast of New Hampshire, in the United States, between His Majesty's armed brig Boxer, Captain Blythe, and the United States armed brig Enterprise, Lieutenant Burrows.

On the 5th of September, these two vessels met; and while yet at some distance from each other, the Boxer fired a gun by way of challenge and hoisted the British colors at each mast head and an ensign at the mizen peake. The enemy continued her course until having wore round and made the weather gage of his adversary, fired a shot in his turn and hoisted three national colors in imitation of the Boxer.

About two o'clock, P. M., when the two brigs were within a few rods of each other, the crew of the Boxer gave three cheers and threw in a broadside upon the enemy, which was immediately returned by the enterprise. This conflict now began to rage with all the fury which a seafight was capable of assuming.

About half past three o'clock, the Boxer becoming considerably crippled and consequently unmanageable, the Enterprise wore round to lay in a posture for raking, in which position she continued for ten minutes, raking the Boxer at each fire with a whole broadside of grape and canister, until the situation of the Boxer rendered it advisable to surrender, being incapable of further resistance.

In consequence of the crippled state of the Boxer so early in the action, her loss was much greater than that of the enterprise. In this engagement the commanders of both vessels fell; and the hull and rigging of the

Boxer was nearly rendered useless before it terminated. Lieutenant Mc. Call, on whom devolved the command of the Enterprise after the death of Lieutenant Burrows, took his prize into Portland harbor, where the bodies of the two hostile chiefs were interred beside each other with military honors

CHAPTER XXVI.

Engagement between the hostile Squadrons on Lake Erie, commanded by Commodores Barclay and Perry—Commodore Perry transfers his Flag, in the Heat of Action, in an open Boat—British Squadron surrenders—Remarks—Retreat of the British Forces from Detroit and Amherstburg—Action at Moravian Village—General Proctor continues his Retreat to Ancaster—Remarks.

DURING these operations on the ocean, the American armies intended for the invasion of Canada, had been for the most part quietly resting on their arms, waiting for the fitting out of a fleet which was then in a forward state, to contest the dominion of Lake Erie, with Commodore Barclay. In the latter part of August this fleet was ready to sail, consisting of nine vessels of various sizes carrying in all fifty-nine guns, the command of which was confided to Commodore Perry:

The British fleet, under Commodore Barclay, consisting of six vessels of various sizes, and carrying an aggregate of sixty-nine guns, on the morning of the 10th of September, descried the American squadron at anchor in Put-in-bay, near the head of Lake Erie. The British commodore immediately crowded sail and bore down upon the enemy, which Commodore Perry discovering, weighed anchor and got under way to meet him.

The hostile squadrons formed lines of battle about ten o'clock, A. M.—but in consequence of the calm which that morning prevailed on the lake, it was forty-five minutes past eleven before the ships could approach within range of shot. On the enemy's flag ship, the Lawrence, (which was ahead of the squadron,) nearing, the Detroit, the flag ship of Commodore Barclay, opened

a heavy fire, in opposition to which, the distance being so great, the Lawrence could not bring her carronades to bear. Commodore Perry, however, continued to approach his antagonist, notwithstanding the disadvantages under which he labored. The Queen Charlotte, by this time, had come up and opened her fire upon the American commodore; yet Perry, undismayed by his hazardous situation, steadily maintained his course, not even waiting for his smaller vessels to come up—until within pistol shot of his adversaries, he commenced a fire in turn. He still continued to advance as if he intended to board the Detroit, until the sides of the Lawrence were in a number of places perforated with shot, his decks literally swept of his crew, and almost every gun rendered useless.

In this crisis of the engagement, the other American vessels, which had been delayed by the calm, began to to approach; and Captain Perry, discovering that the Lawrence was becoming completely untenable, embarked with the greatest coolness into an open boat, in the midst of a tremendous cannonade, and transferred his flag to the Niagara, after which the Lawrence drifted into the British line and surrendered.

So soon as Perry raised his flag in the Niagara, he ordered his smaller vessels to close with the British squadron; he then broke through the line and laid himself alongside the Detroit, where he poured in such tremendous broadsides, that, together with the injury she had already sustained, compelled her to surrender. The other vessels had all ere this closed into action; and having maintained such an incessant fire upon the Queen Charlotte as obliged her to follow the example of the Detroit, to which destiny the whole fleet was in a few moments compelled to submit.

This victory was certainly signal and decisive on the part of the Americans. The intrepid conduct of Captain Perry through the whole day, called forth the admiration of Captain Barclay with the whole officers and crews of his fleet; but his conduct after the engagement was no less conspicious for kindness and humanity towards the prisoners. To this the brave and generous Barclay sets his seal in the following declaration—that, "the conduct of Perry towards the captive officers and seamen was sufficient to immortalize him."

The loss of the British squadron, in this engagement, in killed and wounded, amounted to one hundred and thirty-five, forty-one of whom were of the former, among whom were Captain Finnis and the first Lieutenant of the Queen Charlotte. In this action, Captain Barclay's only remaining hand was disabled, having previously lost the other in the service of his king and country. The loss of the Americans in killed and wounded amounted to one hundred and twenty-three, twenty-six of whom were killed.

It would be impossible to conceive in what extraordinary and extravagant language this victory was extolled throughout the United States. The circumstance, too, of Captain Barclay having an advantage of ten guns over the enemy, was a matter of too much importance to make the story take well, to be once lost sight of. Nothing, however, was said of the greater number of small craft which the enemy possessed—vessels upon which, when brought to close quarters, it is next to a moral impossibility to bring the guns of a larger vessel to bear, while they at the same time possess all the power of annoying them. But the principal disadvantage under which Commodore Barclay had to encounter the enemy, was not in the number of ships. The American government had, for a length of time, been engaged in the most extensive and vigorous preparations for the equipment of a naval force on Lake Erie, which should

afford to that nation the ascendency on that interior ocean, Being now fully convinced that before a conquest could be made of Upper Canada, they must command the lake—hence the long inactive state of the American army destined for that service. Commodore Barclay had not in his whole fleet fifty seamen*, and even a number of these were only rated ordinary seamen, the deficiency of whom was supplied by soldiers drafted chiefly from the Newfoundland fencible regiment, whose very situation in life, as soldiers, precluded them from any knowledge of the management of a ship, or even of the technical phrases of naval officers. However good those men might be in the field in their original capacity as soldiers, their ignorance of the duty to be performed as sailors, in all the hurry and bustle of a sea fight, must have had a strong and powerful tendency to reduce them, at least, to one half the strength which their number would import. In opposition to this, the United States government, in its preparations for prosecuting the war on the Canadian frontier, selected crews to man the fleet on Lake Erie, of the ablest and most skilful seamen in the United States navy. It was determined by that government that Canada should fall before its arms, and therefore nothing was left undone which could be done to promote this object. The consummate diligence with which Perry's squadron had been equipped with seamen and necessaries for the important service for which it was intended, could not fail of securing to him the victory, even over a force of much more potence than that under the command of Commodore Barclay. The victory once gained, General Harrison, who was daily receiving reinforcements at Fort Meigs, waited to give the *coup de grace* to the enterprise.

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*About seven to each vessel.

After the capture of the British squadron on Lake Erie, Forts Amherstburg, Detroit and the adjacent posts became untenable by the British, and were consequently abandoned. Before General Proctor had evacuated the positions which he occupied on that part of the frontier he destroyed the magazines and forts together with all such public stores as he could not carry with the army.

During these transactions, General Harrison having received reinforcements amounting to seven or eight thousand men, including four thousand volunteers from the state of Kentucky under Samuel Shelby the governor of that state, made a descent upon Canada. Com. Perry conveyed all the troops, artillery and stores, in his flotilla, from the mouth of the Miami to the Canadian shore, except the dragoons who were to advance by land and so order their march that they might arrive in the neighborhood of Malden at the same time with the infantry.

General Harrison, on his arrival, having found the different posts evacuated, invested General Mc. Arthur with the chief command of those garrisons, and prepared to pursue the retreating army up the river Thames with a force of three thousand men, including Colonel Johnson's corps of dragoons consisting of one thousand.

So soon as General Proctor understood that Harrison was in pursuit of him, he formed a position on the right bank of the River Thames, near the Moravian village, and there awaited his approach. On the 5th of October the enemy made his appearance in great force. General Proctor had formed his troops into line, to the number of five or six hundred. The Indians under Tecumseh, to the amount of twelve hundred, occupied a swampy thick brushwood to the right of General Proctor's position.

The first movement which was made, after a few volleys, the enemy's cavalry charged the British line, which completely decided the issue of the day: the line gave way at the charge; and the enemy's cavalry formed in the rear to commence with the rifle, when the British troops surrendered. To the left of the enemy's position, which was opposed to the Indians, the battle raged with more obstinacy. This part of the enemy's line had even given way until a column under Governor Shelby was brought up to its support. The Indians, encouraged by the presence of Tecumseh, fought with an enthusiasm bordering on desperation, until the fall of that great aboriginal hero, when the Indians visibly gave way until they had entirely left the field

General Proctor with his staff continued their retreat until they arrived at the village of Ancaster, about ten miles distant from Burlington Heights, where they remained a few days to collect the scattered remains of the army, which amounted to nearly two hundred men.

Before the American army returned to Detroit, they consigned to the flames the Moravian village, pretending to justify their savage conduct by offering it as a retaliation for what they called the massacre at the River Raisin.

During General Harrison's absence from Detroit, a few of the Indian tribes tendered their services to General Mc. Arthur, to raise the hatchet against the enemies of the United States by whom they were readily accepted.

In the action at Moravian village, the British lost, in killed, wounded and missing, about three hundred and sixty-nine, three hundred of whom were prisoners. The loss of the enemy, in killed and wounded, was about fifty.

The success of the American arms on Lake Erie and its surrounding shores, had so intoxicated and bewildered the enemy, that, in their subsequent movements, nothing but conquest and victory were *calculated upon*—no allowance whatever was made for a failure in any one point. "Canada must now be ours," was the exulting and arrogant language of that deluded people.

General Wilkinson was called from the south to assume the command of the American forces in the north, in the room of General Dearborn, which now with General Hampton's division amounted to about eighteen thousand men, to which General Harrison's division was ordered to be added. Such were the gigantic and formidable preparations for the capture of Montreal, where the American soldiers were promised, as an additional incitement, good winter quarters.

CHAPTER XXVII.

An American Army under General Wilkinson, intended to invade Montreal, assembles at Grenadier Island—Movement of that Army down the River St. Lawrence—Engagement at Crysler's Farm—The Enemy driven off the Field—An American Army, under General Hampton, enters Lower Canada at the Chateaugay River—General Hampton's Army driven back to the United States Territory—The United States Forces retire to winter Quarters—Colonel Murray, with a small Force, advances on Fort George—General Mc. Clure burns the Town of Newark and evacuates that Post—Capture of Fort Niagara by a British Force under Colonel Murray—Capture of Lewiston—Capture of Buffalo and Black Rock—Conflagration of the American Frontier on the Niagara River—Overtures of Mediation offered by the Russian Emperor—British and American Ministers treat at Gottenburg.

In the month of October, that portion of the American army stationed on the Niagara frontier was ordered to Sackett's Harbor; at which place, a short time afterwards, General Harrison arrived with such part of his army as was not required for the defence of the western frontier.

The enemy endeavored, by several false movements, to impose a belief on the British generals, that the intention of this force collecting at Sackett's Harbor, was a descent upon Kingston. However, their movements were so closely watched, that every information necessary was acquired in due time to ascertain the future disposition of this *truly redoubtable host*.

After General Wilkinson had collected all his forces at Grenadier's Island, (between Kingston and Sackett's Harbor,) they were embarked on board the flotilla to descend the River St Lawrence. On the 6th of November they arrived at Williamsburg, where the stores and munitions of war of this *invincible armada*, together with all the troops, were disembarked on the Canadian side of the river, with a view to pass the British posts at Prescot and its vicinity in the night, undiscovered; but in this particular they were egregiously deceived. A force, though small compared with that of the enemy, had been held in readiness at Kingston to follow the movements of the American army, under the command of Colonel Morrison, consisting of the skeletons of the 49th and 89th Regiments and three companies of the Canadian Voltigeurs with a few militia—in all, amounting to nearly eight hundred men, with a few gun boats to hover on the rear of the enemy's flotilla.

As the enemy came up with the Fort of Prescot, fully persuaded that all within was perfectly quiet, they were assailed upon both elements by such a fire of musketry and battery guns as at first quite disconcerted their advance.

After the enemy had passed Prescot, they continued their advance a few miles further down the river, where, in the morning, as they were preparing the flotilla to move on towards the rapids of the Long Soult, Colonel Morrison with his detachment came up with them. The American General Boyd was ordered to form his division consisting of nearly four thousand men. They were drawn up in three columns, (one of which was composed of cavalry,) under Generals Covington, Swartwout and Coles. Colonel Morrison, on account of the superior strength of the enemy, was compelled for a length of time to act altogether on the defensive. The enemy, by repeated charging with his cavalry on the left of the British line, attempted to turn that flank; but the

moment Colonel Morrison perceived the manœuvre, he prepared the 49th in conjunction with the 89th to form an echelon, while the Voltigeurs and militia, under Lieutenant Colonel Pearson, were employed to flank the enemy's infantry. The enemy, perceiving the British column performing the field movements in double quick time, supposed the troops to be leaving the field, and in exultation gave a cheer; but before they arrived on the ground occupied by the British, a crest was presented, to penetrate which they had neither courage nor discipline sufficient to attempt; and the heavy oblique fire maintained by the echelon forced them to retire in confusion at every effort they made.

After the repeated and unsucceseful charges of the enemy's cavalry, the infantry was then ordered to advance, who charged with as little success as the cavalry; and in the last of those sallies of the infantry, the 89th, under Captain Barnes, captured a gun from the assailants. Colonel Morrison now closed his column with the enemy, who maintained a heavy fire in order to check his advance; but the cool, steady and determined front with which the British column advanced by platoons, who together with the artillery kept up such a tremendous and destructive fire that the enemy was driven from his position in dismay, and compelled to seek refuge in their boats.

Lieutenant Colonel Pearson with the three companies of Voltigeurs and militia at this moment routed the enemy's light troops which had been formed to cover his retreat; after which the British troops occupied for the night the ground upon which the enemy had taken up his position.

Never were the cool intrepidity and superior discipline of the British troops and militia of Canada displayed to better advantage than at the battle of Crysler's farm; (the name by which this engagement has

been designated, from the place on which it was fought;) and it fairly demonstrated that in nothing but numbers was this American army formidable, and by which means it became unwieldy to its undisciplined generals.

The loss of the British, in this engagement, amounted to one hundred and sixty-eight in killed and wounded, exclusive of twelve missing: that of the enemy was three hundred and thirty-nine in killed, wounded and missing*.

In Sir George Prevost's despatches to Earl Bathurst, in speaking of the different attempts by the enemy to invade His Majesty's North American colonies, honorable mention is repeatedly made of the loyalty and great zeal for the service of their sovereign, evinced by the inhabitants of Canada; and General Wilkinson, in his despatches to his government of this affair, bears ample testimony to the truth of this statement. Among the killed of the enemy was one of their generals, Covington.

The enemy, under General Hampton, consisting of from eight to ten thousand, on the morning of the 21st October, commenced its entry into Canada, by the Chateaugay River, on its march for Montreal; and on the 25th, having passed his whole force, magazines, and warlike munitions into the British territory, he commenced his advance; and coming up with the British position which he found to be fortified by one continued succession of fortifications formed by angles well supplied with ordnance, with a line of breastworks extending

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*General Wilkinson's Despatches to the Secretary of War.

According to British accounts, upwards of one hundred of this number were prisoners of war.

between—the whole extending for some miles and covered by a wood*. Next morning, with a view it would appear to avoid coming in contact with the British position, General Hampton's light troops forming his advance, were discovered advancing on both sides of the Chateaugay; but Lieutenant Colonel De Salaberry, of the Canadian Voltigeurs, commanding the British advanced post, by a well concerted disposition of the troops under his command, consisting of the light company of the Canadian fencibles and two companies of the Voltigeurs, completely checked the advance of the enemy's light troops on the left bank of the river, with the whole main body of the American army under Generals Hampton and Izard; while Captain Daily's company of the third battalion of embodied militia and Captain Bruyer's company of Chateaugay Chasseurs turned the enemy's advance troops on the right bank of the river. The enemy finding himself completely foiled in his exertions to pass this post, retired for some distance; but attempted repeatedly in the course of the day to renew his efforts, all of which proved equally unsuccessful with his first endeavors; and that night they once more commenced their retreat to the opposite side of the line of demarkation.

By the reports of prisoners who were taken in this affair with the enemy at Chateaugay, General Hampton's army actually engaged must have amounted to at least seven thousand infantry and two hundred cavalry besides ten pieces of field ordnance, while the British troops actually engaged did not exceed three hundred†. The

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*General Hampton's Report, dated 1st November, 1813.

†Sir George Prevost's Report of this Affair, dated Montreal, 30th November, 1813.

loss sustained by the British in this action, in killed, wounded and missing, amounted to twenty-five: that of the enemy to fifty.

About the time the enemy made his appearance in front of the British position, Sir George Prevost arrived on the ground from Montreal, and was happily a witness to the heroic conduct of the troops engaged in that glorious achievement; and in his report to Earl Bathurst, in the most exulting language, expressed his high approbation of their conduct.

General Wilkinson had, at an early stage of the expedition, transmitted an order to General Hampton to join him at St. Regis; but that officer having learned the the low state of General Wilkinson's supplies of provisions, and considering the state of the roads which was at this season of the year very indifferent, conceived it the most prudent method to disobey the order, and not place himself at too great a distance from his own magazines; he therefore availed himself of the nearest route to Montreal, the unsuccessful result of which manœuvre has just been detailed.

The American army was again ordered to cross the lines and take up their winter quarters in their own territory, after repeatedly suffering themselves to be defeated under the most mortifying and humiliating circumstances; with the blame of which the commander in chief charged General Hampton, in consequence of his disobedience of orders, but with which the American Secretary of War more properly charged both; however, it had the effect of checking the military zeal which appeared to manifest itself in the American ranks at a distance from the theatre of hostile operations, and completely to extinguish the ardor of the troops on the lines.

The country along the St. Lawrence being entirely exonerated from the incursions of the enemy, Colonel Murray, of the 100th Regiment, was ordered to advance from Burlington Heights, with a small force, towards Fort George, with a view at that time merely to prevent the predatory incursions of the enemy under General Mc. Clure (then in possession of that post,) on the defenceless inhabitants of the surrounding country. But General Mc. Clure, having heard of the disasters which had befallen the army destined for Montreal, and conscious that a like fate might probably await him and his army, with that dastardly cowardice peculiar to himself and a few of his compatriots and traitors who joined themselves to his train, and against the very spirit of the law of nations and of civilized warfare, immersed the flourishing town of Newark in one continued sheet of flame, and ignobly fled with his followers into his own territory. The historian laments that it is not in his power to record one magnanimous act of that recreant general, to rescue his name from that gulf of infamy to which his nefarious conduct has for ever doomed it.

On the advance of Major General Riall towards the Niagara frontier, the American army, abandoned Lewiston, leaving the command of Fort Niagara to Captain Leonard of the artillery. On the evening of the 18th December, preparations were made for taking Fort Niagara from the enemy, for which service Colonel Murray of the 100th Regiment was selected to take the command; and early on the next morning this gallant officer at the the head of the grenadier company of the Royal Scots, the grenadier and light companies of the 41st Regiment and a detachment of his own corps, crossed the river about two miles above the fort upon which they immediately advanced. On approaching the fortress, the centries planted on the outer works were surprised and taken, the countersign obtained, and in a few minutes the fort was carried at the point of the bayonet.

The loss on the part of the British, in this affair, was only six killed and five wounded: that of the enemy amounted to sixty-five killed and fourteen wounded, and the whole of the garrison made prisoners consisting of nearly three hundred and fifty. There were in the fort, at the time of its capture, twenty-seven pieces of ordnance of weighty calibre, three thousand muskets with the apparatus, besides large magazines of camp equipage and military clothing, which of course fell into the hands of the victors.

Major Leonard, the commandant of the garrison, who owned a farm on the margin of the river about five miles above the fort, conceiving every thing on the lines to be reduced to a state of tranquility, ventured to leave the fort the preceding evening for his farm, in order to attend to some domestic affairs, only received his first apprisal by hearing a royal salute fired from the garrison at daybreak in honor of the glorious achievement.

On the same day in which Fort Niagara was captured, the village of Lewiston, about eight miles above Fort Niagara, was taken possession of by a British force under Major General Riall, without opposition, in which place the public magazines were well filled with provisions and other military stores.

Towards the latter part of the same month, General Riall crossed the Niagara River at Black Rock, at the head of a force consisting of about six hundred men, detachments from the 8th or King's Regiment, 41st, 89th and 100th regiments, with a few militia volunteers, exclusive of six or seven companies of the Royal Scots under the command of Lieutenant Colonel Gordon, who were directed to land between the villages of Buffalo and Black Rock, about two miles distant from each other, with a view to divert the garrison of Black Rock while the other troops were landing in front of that post; but in consequence of the severity of the weather, a

number of the boats were stranded, by which means the troops were unable to land in time to effect the object for which they were previously intended; however, the enemy was driven from both positions in a short time. The American loss in this affair was upwards of five hundred, one hundred and thirty of whom were prisoners of war: the loss of the British was inconsiderable compared with that of the enemy.

The state of exasperation to which the mind of every British subject had been wrought by the conduct of Mc. Clure, in burning the town of Newark, and exposing to all the inclemency of a Canadian winter both the helpless infant and infirm old age, that nothing but a similar retaliation could assuage; the whole line of frontier, from Buffalo to Fort Niagara, was therefore burnt to ashes.

During this year, the Russian Emperor, Alexander, had tendered his services as mediator between Great Britain and the United States; but Great Britain declined submitting the question to a monarch who was already known to entertain a great share of jealousy at the extent of the maritime power Great Britain possessed; but offered to treat with America by plenipotentiaries immediately named by the two governments, in any neutral dominion. To this the United States acceded, and Gottenburg was determined as the place of negotiation.

CHAPTER XXVIII.

Review of the Effect the foregoing military Operations had on the Government and People of the United States—A British military Command despatched for the Protection of the London and Western Districts—Engagement at Long Woods—Unsuccessful Attack upon Odeltown by a Part of General Wilkinson's Army—Invasion of Upper Canada by an American Army under General Brown—Surrender of Fort Erie—Advance of the American Army down the Niagara River—A Detachment of British Troops moves out to check the Advance of the Enemy.

THE total failure of the expeditions which had been at so much expense fitted out for the invasion of Canada, had considerably subdued that ardor for military renown, which, at the commencement of the war, considering the defenceless state of Canada, promised so rich a harvest of laurels to the United States—add to this the tardy manner in which all diplomatic intercourse between the hostile nations was carried on, owing no doubt to the momentous interest which Great Britain took in the war on the Peninsula for the independence of Europe.

Nothing, therefore, of very great consequence occurred till the month of March—if we except the predal incursions of the enemy stationed at Malden, aided by a few traitors, on the inhabitants of the Western and London districts; in consequence of which a general order was issued for the Royal Scots and 89th light companies and a company of Kent militia under Captain Mc. Grigor, the whole detachment under the command of Captain Stewart of the Royal Scots, amounting to about one hundred and seventy, to take up a position at Delaware Town, on the River Thames. Here, for a few weeks, the detachment remained unmolested;

and from the tranquil appearance which the whole country presented, it was conceived unnecessary longer to detain the militia on duty, they were therefore ordered home.

The militia had proceeded but a short distance on their route homeward, before they discovered a large column of the enemy fortifying a commanding position on the road leading through the Long Woods. The two light companies at Delaware Town, together with Captain Mc. Grigor's militia who formed the advance guard, on the morning of the 4th of March. commenced a march through a trackless desert towards the enemy*. During the day, the advance had several desultory skirmishes with the enemy's reconnoitering parties, which together with the great depth of snow tended very much to retard the progress of the troops; it was therefore nearly sunset before they came up with the main body of the enemy, who had strongly fortified themselves on the summit of a very steep hill, by a stockade work raised breast high, about twenty-two miles from Delaware Town.

Captain Mc. Grigor's militia was ordered to move round and engage the enemy on his left, while the two companies of regulars engaged him in front: a line was formed under a most destructive fire from the enemy's breastworks. The hill upon which the enemy had taken up his position actually at this moment presented the appearance of a volcano belching forth cataracts of streaming fire and columns of smoke; the air was filled with one continued roar of musketry, resembling the rolling of a thousand drums; and as if to add a more

*A more efficient advance for that service could scarcely have been selected from the whole force in Upper Canada, than this handful of militia, led by that gallant veteran Mc. Grigor

terrific grandeur to the scene, the sun shot forth a few partial rays, through a dense forest, on the conflicting parties, many of whom were not permitted to see his last ray that evening.

The night was now fast approaching; it was therefore determined to charge the enemy in his works, for which service the Royal Scots Light company was ordered; and for the purpose of which, the road being exceedingly narrow, it was formed into an open column of sections right in front, in which order it proceeded down the hill in double quick time: but in attempting to ascend the hill on which the enemy was posted, it was discovered to have been rendered one solid sheet of ice by previously throwing on it a quantity of water, and again covering the deception with snow; every effort, therefore, to ascend the hill became completely ineffectual; and, what rendered the circumstance particularly mortifying, Captain Mc. Grigor perceiving the company advancing to the charge in the most fearless and undaunted manner, with a view to co-operate, led his company up to the left of the enemy's works, and was on the point of effecting an escalade, but unfortunately for want of timely assistance, was once more repulsed.

In this short but sanguinary engagement, every officer, except one, and nearly every noncommissioned officer, with an immense number of rank and file of the British forces, were either killed or wounded; and all who could not escape out of the ravine were made prisoners of war, though the enemy retreated that same night about nine o'clock, taking with him only a few prisoners that were able to ride on horseback, behind his mounted riflemen. The American strength was between four and five hundred, most of whom were Kentucky volunteers.

Nothing particular transpired on the frontiers after this, until the beginning of July, if we except a descent which was made upon Odeltown in the month of March, by a division of General Wilkinson's army stationed at Plattsburgh; but who were, by the determined bravery of the troops composing the garrison at that post, under the command of Major Hancock, driven back, and with a considerable loss, to the besiegers.

Early on the morning of the 3d of July, an American army under the command of Major General Brown, consisting of about seven thousand men, invaded Canada, crossing the lines opposite to Black Rock, on the Niagara frontier, whence they immediately advanced on Fort Erie, the garrison of which consisted of one hundred and thirty-seven of the 8th or King's Regiment, commanded by Major Buck of the same corps. General Brown, commander in chief of the invading army, immediately summoned the garrison to surrender, with which summons the commandant complied without resistance.

The American general, flushed with a success so unusual lately to the arms of the United States, advanced his army down the Niagara River, towards the British post at the mouth of the Chippawa or Welland River, at which place, General Riall, commanding the British army on the Niagara frontier at that period, determined to give him a check until farther assistance should arrive; for which purpose he concentrated his little force at that place, consisting of five companies of the Royal Scots, a part of the 8th or King's Regiment, a part of the 100th

Regiment, and the 2d Lincoln militia, amounting in all to about fifteen hundred men*.

On the approach of the American army next day towards Chippawa, a detachment composed of one troop of the 19th Light Dragoons commanded by Major Lisle, the Light Infantry company of the Royal Scots and a small detachment of the King's Regiment, with two brass field-pieces, twenty-four pounders, was directed to move out in the direction of the enemy in order to reconnoitre his force and ascertain its strength.

The enemy's advance was discovered about two miles above the mouth of the Chippawa River; a few shots were exchanged, after which a strong column of the enemy issued from the woods (where they had previously taken shelter,) with a view to charge and capture the guns; but a charge from the cavalry drove them to their former retreat, in precipitation and dismay.

After the purposes of the reconnoitering party were as far accomplished as existing circumstances would admit, it retired in rear of the works at Chippawa, at the same time cutting away the bridge separating the two armies.

Thus lay the contending forces during that night, within pistol shot of each other—the outposts occasionally skirmishing, which increased at daybreak, when Major General Riall ordered that the bridge across the

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*Five companies of the Royal Scots were left to garrison Fort George and Mississagua, and part of the 100th to garrison Fort Niagara; part of the 8th or King's were captured in Fort Erie.

Chippawa should again be repaired, (resolving, notwithstanding the great disparity of force, to meet his antagonist in the field,) which was so far completed as to render it passable for the army by three o'clock in the afternoon.

The British army now prepared to move out to meet the enemy, who had strongly posted his line on the plain, about a mile and a quarter above Chippawa—the right of which, commanded by General Scott, rested on the Niagara River, supported by a park of artillery under Captain Towson; the left, composed of the New-York and Pennsylvania volunteers under General Porter, rested on the woods, supported in front by a large body of riflemen and Indians; and a strong brigade in rear, under General Ripley, as a reserve.

CHAPTER XXIX.

Engagement on the Plains of Chippawa—The Advance of the British, under Colonel Pearson, moves out and engages the Enemy's Out-posts—Main Bodies of the two Armies advance to Battle—The British retire in Rear of their Works at Chippawa—Attempts of the American Army to cross the River Welland—Retreat of the British Army to Fort George—General Brown moves down and invests that Fort—General Riall moves out of Fort George with Part of his Force—Both Armies reinforced—General Brown retreats on Chippawa.

THE advance guard of the British, composed of the light companies of the Royal Scots, the 8th or King's Regiment, the 100th Regiment and the Lincoln Militia accompanied by a few Indian warriors, (the whole commanded by Colonel Pearson,) advanced towards the plains with a view to draw the enemy into action, the militia and Indians occupying the woods; when, about half past three o'clock, they were sharply engaged with the enemy's riflemen and Indians, who at first checked their advance, and even, for a time, compelled them to retire†, until the light troops of the regulars were brought up to their support, at which the enemy fled in all directions.

By this time, the main body of the British army was formed in line, which, when compared with that of the enemy, presented more the appearance of the wing of a regiment than an opposing army. The line was composed

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†At this crisis of the action, Lieutenant Colonel Thomas Dickson, of the 2d Lincoln Militia, was wounded, after which the command of that corps devolved on Major David Secord.

of four companies of the Royal Scots, on the right, commanded by Lieutenant Colonel Gordon, (the light company of which was acting in the advance,) the 8th or King's Regiment on the left, and the 100th or Prince Regent's Regiment in the centre, commanded by Lieutenant Colonel the Marquis of Tweedale; the left of the line, supported by two pieces of field ordnance, twenty-four pounders, planted on the margin of the river.

The armies, being thus arranged, commenced the conflict; a steady fire from both sides was for some time maintained; when the King's Regiment was ordered to the right of the line, and the Royal Scots and 100th Regiment were directed to charge the enemy's crest, which was gallantly received by two regiments of General Scot's brigade which moved forward for that purpose; after which the fire re-commenced with redoubled fury, while the artillery was literally making lanes through the columns; but the explosion of a British ammunition wagon so materially injured one of the guns as completely to silence it; and the increasing fire which the enemy was enabled to maintain, in consequence of his line continually filling up from the reserve, was making such a visible impression on the British ranks, that General Riall found himself no longer able to sustain the fight against a force so unequal in numerical strength, and gave orders to abandon the field; the troops, therefore, retired in rear of the works at Chippawa, destroying the bridge they had previously repaired across that river.

The loss on both sides might be said to be nearly equal, amounting to four or five hundred. Lieutenant Colonel the Marquis of Tweedale and Lieutenant Colonel Gordon were amongst the wounded. The 2d Lincoln Militia, under Major David Secord, distinguished themselves in this action by feats of genuine bravery

and heroism, stimulated by the example of their gallant leader, which are seldom surpassed even by the most experienced veterans. Their loss was proportionate with that of the regular army.

Three or four days subsequent to the sanguinary conflict on the plains at Chippawa, were mostly employed by the enemy in burying their own dead and burning those of the British; after which, several ineffectual efforts were made by General Brown to cross the Welland River, contemplating an advance on Fort George; but, at each of his attempts, he was promptly met by piquet guards of the British posted along the margin of the river for that purpose.

General Riall, however, in a few days, gave orders that the remnant of his army should retire under the shelter of Fort George and Mississagua, until reinforcements could be collected to place him on more equal ground with the enemy; after which, General Brown moved his army towards those posts within a mile and a half of the British—his army forming a crescent, his right resting on the Niagara River, his left on Lake Ontario.

The American army had no sooner taken up a position in front of Fort George, than their foraging parties, or rather marauders, commenced a systematic course of plunder upon the defenceless inhabitants within the vicinity of their camp, most of whom, at the time, consisted of women and children: even amongst the general officers were acts of pillage perpetrated, that, had such occurred with private soldiers in the British army, would have stamped a stigma on the character of the British, in the eyes of America, for which no course

of conduct which they could ever after have pursued would have sufficiently atoned‖.

The most unwearied vigilance had been exercised by the American General to watch every avenue by which any part of the British might possibly escape from the position within the works; yet, notwithstanding all the care and vigilance practised by General Brown and the forces under his command, General Riall contrived to march a part of his little army, a few ammunition wagons and two six pounders, field pieces, under night and unperceived, through his lines to a rendezvous for reinforcements at the 12 and 20 mile creeks.

During the interval in which General Riall was receiving reinforcements from York and other military posts on that side of Lake Ontario, General Brown also received a strong reinforcement under General Izard,

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‖General S. of the New-York militia, who had joined the army in Canada, under General Brown, appeared, under night, with about two hundred mounted men, before a small farm house in the vicinity of Fort George, where a wealthy farmer, whose residence was on the bank of the Niagara River, had sent the female part of his family with the most valuable part of his goods, as a place of safety, the house being surrounded with woods. The General took possession of the goods and divided with his followers, reserving for himself a set of silver spoons, a great coat sufficiently large to fit over his own, with as much of a chest of tea as he could conveniently carry in a flannel shirt sewed up at one end for that purpose. With these the gallant general marched off in quest of other "deeds of martial glory." He next met a young man of the name of Thompson, whom he made a prisoner, and from whom he took a silver watch; but approaching too near the British piquets, in an encounter, he was mortally wounded. The young man from whom he had taken the watch was then commanded to pilot them to a place of safety, where the general's wound could be attended to: he very naturally conducted them to his father's house, where the general died, and the next officer in command restored the watch to the young man from whom it was taken.

after which he made a few ineffectual assaults on Fort George; but, finding all his efforts to carry that fort fruitless, and the British army receiving fresh acquisitions of strength, all seemed to conspire to render the case of General Brown entirely hopeless.

General Brown now perceiving the situation in which he was placed—the forts in his front to him completely impregnable, and an army in his rear in full flow of spirits and every day gathering new strength, (though by no means equal to his as regarded numbers,) a Canadian militia, unexpectedly to him, fervent beyond a parallel in the cause of their king and country—began now to think of a safe retreat, in pursuance of which, on the morning of the 25th July, he commenced his retrograde.

General Brown's movements, however, were too closely watched to permit him to escape unnoticed. Scarcely had the conception of a retreat matured itself into a purpose in the mind of the American General, ere it had unfolded itself to the penetrating eye of General Sir Gordon Drummond, who had that day arrived on the Niagara frontier, and preparations were immediately made to intercept him.

CHAPTER XXX.

General Brown meditates a Retreat—He is intercepted by a Part of the British Army at Lundy's Lane—Severe Contest for the Advantage of that Position—British Reinforcements arrive—The Armies close to a general Action—The Engagement assumes a sanguinary Aspect—Loss sustained on both Sides—Remarks.

THE British army, at the time General Brown commenced his retreat, was scattered in small cantonments over twenty or thirty miles of country; but, like a well ordered and systematic machine, every part was in a moment simultaneously in motion, to concentrate their united strength at a point where they would be likely to intercept the enemy.

Detachments of the Royal Scots and 41st regiments and a small body of Indians, amounting in all to about five hundred men, under the command of Colonel Tucker, (supported on the river by a party of seamen and marines, under the direction of Captain Dobbs of the Royal Navy,) passed over to the American side of the River Niagara, with a view to disperse or capture a body of the enemy stationed at Lewiston. The object of this movement being accomplished, the troops were again withdrawn at Queenston. The 41st and 100th regiments, under Colonel Tucker, were sent back to garrison Fort George, Mississagua and Niagara: General Drummond moving on towards the Falls, with a force of about eight hundred strong consisting of detachments of the Royal Scots, 89th and King's, with the light company of the 41st Regiment, to join General Riall's division of the army as soon as it should arrive from the several bivouacs at which it had been stationed.

As soon as the column of the British army under the command of Lieutenant Colonel Morrison had arrived at the rising ground near the end of Lundy's Lane, on the main road leading from Queenston to Chippawa, the enemy was just taking possession of that position. Without a moment's delay, the troops which had arrived on the ground were formed in line on the north-east side of the height, their left resting on the Queenston road, and the conflict commenced.

The troops from the Twelve and Twenty Mile creeks together with a detachment of the King's Regiment, as they arrived, were formed on each side of Lundy's Lane. This line was supported in front by two twenty-four pounders, [field guns,] which were covered by a small squadron of the 19th Light Dragoons and a detachment of infantry.

The British line being thus disposed, notwithstanding the superior strength of the enemy, in about ten minutes dislodged him from the position he had first taken at the point of the bayonet. The sun was now fast descending towards the western horizon, and detachments of the 1st and 2d Lincoln militia continued to arrive from the different out-posts they had been occupying, who joined in maintaining the summit of the hill until the whole of General Riall's division should come up.

General Drummond, after dislodging the enemy from the partial possession he had gained on the hill, again formed his line with as much despatch as existing circumstances would admit, placing his artillery which consisted of two twenty-four pounders, two six pounders [brass field pieces,] and a rocket party, in front of the centre of his position, near the right side of Lundy's lane leading down the hill to the Queenston road, supported by the second battalion of the 89th Regiment under Colonel Morrison. Scarcely had this arrangement of the British forces been completed, before the position

was furiously assailed by General Scott's brigade, at the point of the bayonet; but the enemy was repulsed with great slaughter. A tremendous fire was then commenced on the crest of the British position, by the first brigade of the enemy stationed near a copse between Lundy's Lane and the Falls of Niagara; and the 9th, 11th and 22d regiments and Captain Towson's brigade of artillery, stationed on the Queenston road.

During this stage of the engagement, the light company of the Royal Scots arrived on the ground from the Twenty Mile Creek; and a courier was despatched to countermand the route of the 103d Regiment and detachment's of the King's and 104th regiments, who had, in a mistake, taken the road to Queenston from the Beach-woods, and to hasten their movement to the field of action.

On the brow of the hill at the east end of Lundy's Lane, for the possession of which the armies hitherto had principally contended, General Drummond now planted his [illegible], as it appeared to form the key to the position. [illegible] quarter, therefore, the enemy for a length of time directed his whole efforts; and notwithstanding the carnage was truly appaling, no visible impression had yet been made. Still, on this part of the field did the whirlwind of the conflict continue to rage with awful and destructive fury: columns of the enemy, not unlike the undulating surge of the adjacent cataract, rushed to the charge in close and impetuous succession.

In this fearful and tremendous stage of the contest, the British forces both regular and militia, finding themselves pressed by an overwhelming force, simultaneously closed round the guns, apparently determined to contest their possession with the last drop of British blood on the ground, fully assured of their importance to a fa-

vorable termination of the engagement—in short, both armies appeared to be roused to a state of desperation for victory.

The enemy at length succeeded to make a slight turn on the left of the British position; at which period, General Riall, who commanded that division of the army, was severely wounded in the arm, and having passed to the rear for the purpose of having his wound dressed, in his return to resume the command, was intercepted by a column of the enemy and made prisoner of war.

It was long before this crisis of the engagement that the curtains of night had enveloped the scene; but instead of that circumstance tending to abate the fury of war which had now completely drenched the field with the blood of the combatants, the rage of battle appeared only to increase as the night advanced. Still did the enemy continue to direct his strongest force against the crest of the British position; but his repeated charges were as often received and repelled by the regular, fencible, and militia forces engaged, with that intrepid gallantry for which the British army has ever been characterized. Charges were made in such rapid succession and with such determined vigor that often were the British artillerymen assailed in the very act of spunging and charging their guns; and often were the muzzles of the guns of the contending armies hauled up and levelled within a few yards of each other: the havoc of lives on both sides, under such circumstances, may be better conceived than described.

The battle having raged with almost unprecedented fury for upwards of three hours, both sides appeared for a time mutually to suspend hostilities; during which the British troops were supplied with fresh ammunition, and the enemy employed himself actively in bringing up his reserve columns; after which, the fire was

recommenced from the Queenston road on the left of the British column; however, it was discovered that this was only a diversion to mask the intention of a large body of the enemy's fresh troops, which was actually moving on the right of the British position, to outflank it. General Drummond commenced immediately to draw his strength towards this flank of his army, forming a line in a field of grain, upon which the enemy were seen to advance in slow and silent pace. The British line formed to repel this new attack, was directed to kneel sufficiently low to prevent being perceived by the enemy; but scarcely had General Drummond completed this order of arrangement, before the enemy's column made its appearance and advanced within a few yards of the British line, when the signal was made to fire a volley and charge—the effect of that single fire upon the enemy's ranks was awful in the extreme—those of the enemy who were able made a precipitate retreat.

"The enemy's efforts to carry the hill," says General Drummond in his despatches, "were continued until midnight, when he had suffered so severely from the superior steadiness and discipline of His Majesty's troops, that he gave up the contest and retreated with great precipitation to his camp beyond the Chippawa, burning, as he passed, the flour mills at Bridgewater. On the following day he abandoned his camp, threw the greatest part of his baggage, camp equipage and provisions into the rapids above the falls; and destroying the bridge at Chippawa, he continued his retreat in great disorder towards Fort Erie."

"The loss sustained by the enemy," adds Sir Gordon Drummond, "in this severe action, cannot be estimated at less than fifteen hundred men, including several hun-

dred prisoners left in our hands*. Generals Brown and Scott were among the wounded. His whole force, which was never rated at less than five thousand men, was all engaged."

In General Drummond's report of this action, his return of killed, wounded and missing is as follows, namely:

Killed,	84
Wounded,	559
Missing,	193
Prisoners,	42
Total,	878

By the regimental returns of the British army, including those of the militia both before and after this engagement, the whole British force consisted of two thousand eight hundred; but before the arrival of the troops under Colonel Scott of the 103d Regiment, it did not exceed sixteen hundred.

Of all the battles (says a writer on this subject,) fought in America, the action at Lundy's Lane was unquestionably the best sustained and by far the most sanguinary. The rapid charges and real contest with the bayonet were of themselves sufficient to render this engagement conspicuous. Traits of real bravery and heroic

*In General Brown's report of this action, his return of killed, wounded and missing is as follows:

Killed,	171
Wounded,	570
Missing,	117
Total,	858

devotion were that night displayed by those engaged, which would not suffer in a comparison with those exhibited at the storming of St. Sebastian, or the conflict at Quatre Bras.

Both the belligerent armies have offered their claims for victory in this engagement—upon what grounds the American general could propose such a claim are best known to himself. The result of the action, compared with General Brown's first instructions as set forth in his despatches to the American secretary of war, contradicts in the most pointed terms even the slightest suggestion of a victory on the part of the American arms. "It is proper here to mention," says General Brown in the despatches alluded to, "that having received advices as late as the 20th, from General Gaines, that our fleet was then in port and the commodore sick, we ceased to look for co-operation from that quarter, and determined to disencumber ourselves of the baggage and march directly for Burlington Heights. To mask this intention, and to draw from Schlosser a supply, I fell back upon Chippawa. As this arrangement, under the increased force of the enemy, left much at hazard on our own side of the Niagara; and as it appeared, by the before stated information, that the enemy was about to avail himself of it, I conceived that the most effectual method of recalling him from this object, was to put myself in motion towards Queenston."

Now, a question very naturally presents itself—Did General Brown or the army under his command, in pursuance of the declared intention of the general, make a solitary effort after the action, to force a passage to Burlington, or even attempt to maintain the ground he held during the action? The reverse was the case. Let General Brown speak for himself. "I therefore believed it proper," says that general in another part of his report, "that General Ripley and the troops should return to camp," that is, beyond Chippawa, a distance of nearly

four miles from Lundy's Lane, the field of action, leaving the British troops in peaceable possession of the ground they had gained, and during the arduous contest maintained by their prowess and steady discipline; and, next day, the American forces continued their retreat in great disorder towards Fort Erie*." Here was victory with a witness; and just such a victory did Buonaparte gain at Waterloo.

General Brown not only abandoned the plans of operation which he had formed previous to the action at Lundy's Lane, but "retreated in great disorder towards Fort Erie," where his egress from the British territory might be more easy; and in his way destroyed the bridge across the Chippawa, in order to retard the advance of the British light troops on his rear.

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*General Drummond's Report of the Action.

CHAPTER XXXI.

The British Army, under General Drummond, pursues the Enemy to Fort Erie—General Drummond invests that Fort—Nocturnal Assault on Fort Erie and the adjoining Batteries in Possession of the Enemy—Disposition of the Force intended for that Assault—Failure of that Assault—Sortie by the American Force on the British Batteries in Front of Fort Erie—Result of the Sortie—Retreat of both Armies—Concluding Remarks.

THE American generals, unacquainted with the policy of war, had suffered themselves to be too easily elated by the imaginary successes which attended the American arms during the first operations in this campaign, were now proportionably overwhelmed with disappointment at the signal defeat with which they met at Lundy's Lane; and confined themselves within the limits of Fort Erie and the adjacent shore, as far as Snake Hill, a distance of two miles; in front of which position, General Drummond, with as many of the remaining British forces as could be spared for that service, advanced in a few days.

The British army had no sooner taken up their position in front of Fort Erie than preparations were immediately made to storm the fort and American posts. General Gaines, on whom had devolved the command of the second division of the northern army of the United States, in the absence of Generals Brown and Scott, who had both been wounded at Lundy's Lane, now directed his whole attention to strengthening the Fort and outworks as far as Snake Hill.

On the 13th of August, General Drummond having previously completed his batteries, commenced a brisk cannonade on the position of the enemy, which, with

a few intermissions, was continued for two days; after which it was determined to carry the fort and outworks of the enemy by a nocturnal assault. In pursuance of this purpose, General Drummond formed his troops into three divisions; the first under Lieutenant Colonel Fischer of De Wattville's regiment, consisting of the King's Regimant, the Regiment De Wattville and flank companies of the 89th and 100th regiments, directed against the enemy's entrenchments at and near Snake Hill; the second, under Lieutenant Colonel Drummond of the 104th Regiment, consisting of the flank companies of the 41st and 104th regiments and a body of seamen and marines under the direction of Captain Dobbs of the Royal Navy, against the fort; and the 3d, under Lieutenant Colonel Scott of the 103d Regiment, consisting of the 103d Regiment supported by two companies of the Royal Scotts, against the entrenchments adjoining the fort.

This arrangement being completed, the division destined for the attack of Snake Hill, marched by a circuitous route at four o'clook on the afternoon of the day previous to the attack, in order to gain the vicinity of the point of the enemy's works in sufficient time to co-operate with the other divisions of the army.

About two o'clock on the morning of the 15th, the several divisions of the British army moved on towards the enemy's entrenchments; but as soon as the column directed against Snake Hill had emerged from the woods, it came in contact with an abbattis within twelve or fifteen paces of the enemy's entrenchments, defended by a heavy column of infantry under the command of Major Wood and the artillery under Captain Towson. this for a time completely checked its advance.

However, it was soon announced by a tremendous fire from the guns in the fort, and from the columns of infantry defending the entrenchments near the shore of

the lake, that the other two columns, under Lieutenant Colonels Scott and Drummond, had commenced an assault on the enemy's works.

At the first outset of the two last columns, the enemy succeeded in turning the column on the left under Colonel Scott; but that under Colonel Drummond penetrated the enemy's works and charged through his ranks with such irresistable impetuosity that nothing seemed sufficiently impregnable to arrest its progress. Lieutenant Colonel Scott, in the mean time, rallied his column which had been partially turned on one flank, and the fort was assailed in almost every quarter by the besiegers; an escalade was effected, the enemy drove from the ramparts at the point of the bayonet, and the guns of the fort turned upon the garrison; all of which preludes of victory had actually been gained a few minutes after the first alarm.

The battle raged with a fury seldom equalled. The British troops having previously, in pursuance of an order to that effect, divested their muskets of the flints, every foot of ground was contended at the point of the bayonet, which rendered the carnage more dreadful and appaling.

Lieutenant Colonel Drummond, during the conflict within the fort, performed most extraordinary acts of valor: in the hottest of the battle he would present himself encouraging his men both by example and precept. But in the very moment when victory was declaring herself in favor of the British arms, some ammunition which had been placed under the platform ignited from the firing of the guns to the rear, and a dreadful explosion was the result, by which the greater part of the British forces which had entered the fort, were literally blown into the air.

All the exertions of the few British troops who survived the explosion were found ineffectual to maintain their ground against such an unequal force as the enemy was then enabled to bring up against them; the enterprise was therefore abandoned; and the British forces retired in rear of their works before daybreak.

The loss of the British, in consequence of the explosion, was much greater than that of the enemy; and amongst the killed were Colonels Scott and Drummond.

In General Drummond's report of this action, the return of the killed, wounded and missing stands thus, namely:

Killed, 2 lieutenant colonels, 1 captain, 1 lieutenant, 1 serjeant, 1 drummer, 51 rank and file,	57
Wounded, 1 deputy assistant quarter master general, 1 major, 8 captains, 11 lieutenants, 2 ensigns, 1 master, 12 seamen, 20 serjeants, 2 drummers, 250 rank and file,	308
Missing, 1 deputy assistant quarter master general, 1 captain, 3 lieutenants, 2 ensigns, 1 midshipman, 1 adjutant, 7 seamen, 41 sergeants, 3 drummers, 479 rank and file,	539
Total,	904

Nothing particular occurred for the space of a month after the affair of the 15th August, if we except occasional skirmishes with the advanced posts, and the frequent cannonading maintained between the British batteries and the enemy's works, as well at Black Rock, on the opposite side of the river, as at Fort Erie and its neighborhood. At about the expiration of a month, however, General Brown, having recovered of his wounds, again resumed the command of the American army on the Niagara frontier, and brought with him a

strong reinforcement, resolving to attempt the destruction of the British batteries in front of the fort. Pursuant to this determination, on the 17th September, at about 12 o'clock, noon, the whole American force including both regulars and militia sallied forth in three divisions under Generals Porter, Miller and Ripley; and before the ready and reserve columns of the British could be brought up from the camp, (about a mile in rear,) the enemy had succeeded in penetrating the batteries, destroying the works with one magazine of ammunition, and spiking the guns. But ere he could effect his retreat, the ready and reserve columns had arrived, who immediately commenced a determined attack upon his columns; and after about a half hour's desperate fighting, notwithstanding his great superiority of numbers, he returned before the bayonets of the British line, in great precipitation, under the cover of his works, after losing nearly six hundred of his force.

The incessant rains which had fallen that season rendered it impossible for General Drummond to repair his batteries, or, indeed, longer to keep the field; he, therefore, on the 21st of September, broke up his camp, and retired to winter quarters in rear of his works at the mouth of the Chippawa.

During the retreat, General Brown feigned some inclination to follow on the rear of the British army; yet, notwithstanding all the efforts which could possibly be exercised by a general, were called into contribution by Sir Gordon Drummond, to bring General Brown into action; but it all proved unavailing. The American general, "as soon as the coast was clear," evacuated Fort Erie and retreated across the river into his own territory.

Thus terminated the campaign of 1814, on the Niagara frontier; and whatever might have been the object of the American government when they sent that army

to invade Canada, it is certain that nothing was acquired, if we except a fresh proof (if such had been now necessary,) of the loyalty of the Canadian people to their sovereign, and their unshaken zeal to defend their country from the grasp of its enemy, at whatever time he might think proper to invade it.

CHAPTER XXXII.

Arrival of a British naval and military Force on the Shores of the U. States—Troops land at the Mouth of the Pawtuxet and move on towards Washington—General Ross arrives at Bladensburg and finds the American Force strongly posted to oppose his Passage—The American Army routed—General Ross takes Possession of the American Capital—The British Forces again retire to the Seaboard and embark—Captain Gordon's Expedition up the Potomac—Captain Sir Peter Parker's Expedition up the Chesapeake—Descent upon Baltimore—Retreat and re-embarkation of the British.

DURING the period in which the operations of the campaign on the Niagara frontiers were transpiring, a naval force, consisting of five line of battle ships and a few frigates, was fitted out and placed under the command of Vice-admiral Cochrane, for the purpose of visiting the coasts of the United States and laying waste her maritime cities and towns, with a view to putting a more speedy termination to the war so much deprecated by the enlightened men of both countries. This naval squadron was accompanied by several transports having on board a military force of from five to six thousand men under the command of Major General Ross. This armament arrived on the shores of the Chesapeake Bay, along which it hovered a few days, occasionally bombarding the towns and villages along the coast.

On the 21st, the squadron arrived at Benedict, at the mouth of the Pawtuxet, (about forty-seven miles from the city of Washington, the metropolis of the United States,) where General Ross disembarked his troops; from whence he proceeded to Nottingham, and on the following day to Upper Marlborough. On this march the British army met with but little or no opposition,

except from a flotilla of about twenty gun-boats manned with about four or five hundred marines and seamen, under the command of Commodore Barney, an experienced and meritorious naval officer, but who was at length compelled, with the men under his command, to abandon and set fire to the boats, directing their flight to Bladensburg, there to join General Winder, who had, at that place collected a force of nearly nine thousand for the purpose of disputing with General Ross the road to the capital.

General Winder's army was visited by President Madison accompanied by General Armstrong, the American Secretary of War, together with the United States Attorney General, before whom they passed in review on the morning of the 23d, at Old-Fields, about five miles distant from the city of Washington.

After the review, General Winder detached a column under Colonel Scott, to reconnoitre the force of the British with a view to harrass them in their advance, and by which means so retard their progress that the American army might gain as much strength as possible, whose ranks were hourly swelling by the arrivals of the militia from Baltimore and Annopolis and volunteers from Georgetown and its vicinity. General Ross had advanced within six miles of the enemy's camp, when Colonel Scott's column was discovered; but receiving a few volleys from the British advanced guard, they retreated in rapid movement towards their camp. General Ross advanced his column about three miles further on the road to Washington, where he encamped during the night; but the enemy, dreading a nocturnal attack, retired about sunset towards Washington, to a position where they could encamp in greater security.

Early on the morning of the 24th, the British forces were in movemont towards Washington, taking a route which kept General Winder's army on their left flank;

but about noon the enemy was discovered strongly posted at Bladensburg, ready to dispute the passage at that place. The bridge was defended by a large brigade of artillery supported by a column of riflemen, with a division of infantry drawn up in an orchard in the rear; and a strong brigade of infantry under the directions of General Stansbury was drawn up on the west side of the western branch of the river; and on the heights commanding the great road to Washington were erected two batteries served by the seamen and marines commanded by Commodore Barney and Captain Miller, and supported by a body of infantry and riflemen; the other columns of the enemy were posted according to the situation of the ground, in the best order of defence which suggested itself to the minds of their generals.

General Ross, taking a moment's survey of the disposition of the enemy, formed his plan of attack. The 85th Light infantry regiment, and the light infantry companies of the different regiments constituting the British column—the whole under the command of Colonel Thornton—rushed forward with such irresistable impetuosity, supported by a division of infantry commanded by Colonel Brooke, that the bridge was carried in a few minutes: and the enemy compelled to retreat in confusion and dismay towards the capital, carrying terror in their flight, and after the brief deliberations of a council of war hastily assembled, it was concluded that under present circumstances the metropolis was completely untenable by the American army under their present dispersed and disorganized state; it was, therefore, ordered that General Smith should continue the retreat of the army through the city, and take up a position on the heights of Georgetown.

The loss sustained by the British in the engagement at Bladensburg, amounted to two hundred and forty-nine in killed and wounded, sixty-four of whom were

of the former*. The loss of the American army only amounted to one hundred and eighty, in killed, wounded and missing‖; but their loss in property was immense‡: no less than two hundred and sixty pieces of cannon, five hundred and forty barrels of gun-powder, and a hundred thousand cartridge mostly charged each with a ball and three buck-shot, were taken by the captors.

General Ross, meeting with no further resistance, continued his approach to Washington; and having the main body of his army encamped about a mile and a half from the city, he entered the metropolis at the head of six or seven hundred men, about 8 o'clock in the evening. Immediately on the entry of the detachment of British troops into the city, General Ross issued orders for the destruction of all the public buildings and public works together with the public library, the capitol and a frigate and sloop of war in the navy yard, almost ready for launching, with all the materials in the naval arsenal; pursuant to which they were all consigned to one continued conflagration, in which it is to be regretted that an elegant hotel with a few other private buildings were consumed.

Next day, General Ross having accomplished the object of his expedition to Washington, ordered a retreat which was commenced that evening and continued next day to Benedict. During the progress of these affairs,

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*General Ross to Earl Bathurst, dated, on board the Tonnant, 30th August, 1814.

‖General Winder to General Armstrong.

‡By the report of the committee appointed to investigate the amount of public property lost to the United States at the capture of Washington, it is estimated at nine hundred and sixty-nine thousand, one hundred and seventy-one dollars.

Captain Gordon of the Sea Horse, with a naval force under his command, ascended the Potomac; but, in consequence of the difficulties which presented themselves in the navigation of that river with vessels of large dimensions, he did not reach Fort Washington until the 27th, upon which he immediately opened a bombardment; but the officer commanding that garrison gave orders for spiking the guns and blowing up the works without the least show of resistance. Captain Gordon then passed on to the town of Alexandria, the municipal authorities of which, in order to save the town from destruction, stipulated for the surrender of all public stores together with twenty-one sail of merchant shipping with their cargoes then lying in the harbor.

Captain Sir Peter Parker, to whom was entrusted the command of another division of the fleet with which to ascend the Chesapeake, on the night of the 30th of August, landed a body of seamen and marines, in all amounting to one hundred and twenty, near a place called Georgetown Cross Roads, where a body of the militia of Maryland was stationed. The enemy, apprized of this movement, were drawn up in much greater force than Captain Parker was led to anticipate, in front of their camp. Still the intrepid captain, thinking of nothing but conquest, pressed forward with his handful of brave followers, and while animating them in the fury of the combat, received a buck-shot in the thigh, which penetrated the femoral artery, yet continuing to cheer his men to the conflict, he fell and terminated a life rendered immortal in the recollections of his countrymen; after which the enemy pouring upon them in overwhelming numbers, compelled them to retire to their boats and abandon the enterprise.

Admiral Cochrane now assembled his whole squadron in the waters of the Chesapeake, determined on a descent upon the city of Baltimore; for which purpose the fleet ascended the bay, and on the 11th of September,

they came to an anchor off the mouth of the Potomac River, about fourteen miles distant from Baltimore. Early on the following morning, General Ross debarked his troops amounting to nearly six thousand, under cover of the gun-boats, at a place called North Point. On receiving intelligence of this movement, Brigadier General Stricker, who had been detached with a force of between three and four thousand infantry, with a large park of artillery, a corps of cavalry and a body of riflemen, to resist the approach of General Ross, took a position at the junction of the several roads which led to the city, having a body of light troops in his front under Major Heath, for the purpose of annoying the British and checking their advance. The point at which General Ross had effected a landing is a kind of peninsula formed by the Patapsco and Back rivers, across which Major Heath had thrown up an intrenchment; but, on the advance of the British column, this position was hastily abandoned with little or no resistance.

In a short time the British forces came up with the column under General Stricker, which was discovered to be strongly posted with the right resting on Bear Creek and the left covered by a swamp almost impervious. General Ross continued to advance under the fire of the enemy's riflemen and light troops; and always too prodigal of his own safety in the field, placed himself in front of his advance, who had now become engaged with that of the enemy. While in this situation, with his hat waving in the air, animating his troops, he received a rifle ball in his breast which proved to be mortal.

The command of the expedition now devolved on Colonel Brooke, for whom General Ross immediately sent, and to whom he yielded his instructions; and after taking an affectionate leave of that officer and his personal staff, and ejaculating "my dear wife," he breathed his last, deeply lamented by the whole army he had

so recently commanded. Colonel Brooke continued to move forward on the enemy's position, and commenced a general attack; a few minutes after the commencement of which the signal was given to charge the enemy's line, when a rapid advance took place; and the whole of General Stricker's army was completely routed and driven in confusion at the point of the bayonet. The enemy's position was then taken possession of, together with two pieces of field ordnance which the enemy's artillery, in their precipitation, were unable to take from the field.

On the following morning, Colonel Brooke continued to advance till he arrived within a mile and a half of Baltimore, intending an immediate assault upon that place; but upon reconnoitring the works with which the enemy had surrounded the city, he discovered that all those hills, with which its ambient vicinity abounds, were completely studded with fortifications and redoubts, the whole of which were connected by breastworks and defended by an army of fifteen thousand men, exclusive of a numerous train of artillery commanded by Generals Stansbury and Foreman, and a body of seamen and marines under Commodore Rogers.

During the land operations against Baltimore, a powerful and well concerted plan of attack was attempted against Fort Mc. Henry commanding the entrance of the harbor of Baltimore, with a view to the reduction of that fort, that the naval force might approach the town and co-operate with the army; but in consequence of a number of vessels having been previously sunk by the enemy across the entrance, it was found impracticable to approach sufficiently near to render any assistance; the enterprise was therefore given up.

Next morning, the 15th, between one and two o'clock, the British army retreated a few miles from Baltimore, where they remained the whole of that day,

with an intention to draw the American forces from their defences for an attack; but finding the enemy no way disposed to hazard a field engagement, the retreat was continued the next morning to North Point, where the troops were re-embarked, together with about two hundred of the most respectable inhabitants of Baltimore, prisoners of war. The loss of the Americans is said, in their own accounts, not to exceed one hundred and eighty killed and wounded; while, on the same authority, the British loss amounted to six hundred including a number of prisoners.

CHAPTER XXXIII.

An Expedition formed in Lower Canada for the Invasion of Plattsburg—Arrival of the British Squadron at the Harbor of Plattsburgh—Naval Engagement, and loss of the British Squadron—Retreat of the British Troops—British Expedition formed against the Shores of the United States bordering on the Mexican Gulph—Result of that Expedition—Expedition against New Orleans—Partial Encounter between General Jackson's Army and a Body of British Troops under Colonel Thornton—The British under General Packenham advance towards New Orleans—Reinforcements arrive for both Armies—Unsuccessful Attack on the Enemy's Entrenchments—Second Attack on Fort Bowyer—Surrender of that Fort—Action between the British Frigate Endymion and the American Frigate President—Surrender of the latter—Concluding Remarks—Summary of the Treaty of Peace.

DURING the period in which the operations against Washington and Baltimore were in progress, British troops were pouring into Lower Canada from France, in consequence of the Peace of Paris having been concluded, until the army under Lieutenant General Sir George Prevost actually amounted to fourteen thousand effective men, which were immediately formed into brigades; and an expedition fitted out for the invasion of the enemy's territory.

On the 2d of September, the British army commanded by Sir George Prevost in person, approached the line of demarkation between Lower Canada and the United States. On their advance, the American forces stationed on the lines fled from their entrenchments, panic struck, towards Plattsburgh, destroying all the bridges and felling trees across the road in their route

thither, in order to impede the advance of the British; but, in apposition to all these obstructions, the army appeared before Plattsburgh on the sixth.

General Moers of the New-York militia, Colonel Appling, Major Wood and Captain Sprout, of the American army, were sent out from Plattsburgh at the head of columns of both regulars and militia, to oppose the British in their advance; but the utmost united exertions of the general and every officer under his command were found insufficient to prevail on the American troops for a moment to maintain their ground before the advance of the British.

On the approach of the British to Plattsburgh, it was discovered that the bridge across the River Saranac had been stripped of its planks, to the south side of which river the whole of the American force had retired and taken up a position on an elevated piece of ground, fortified by three redoubts and a number of breastworks and batteries, and commanded by General Mc. Comb in person. The planks which had been taken from the bridge crossing the Saranac were piled in the form of a breast work at the south end, to cover the American troops intended to dispute the passage with the British advance.

The time which intervened between the 6th and 11th was chiefly employed by Sir George Prevost in raising his works and bringing up his ordnance and mounting it for the purpose of bombarding the town and out works of the enemy. At 7 o'clock on the morning of the last mentioned day, the British squadron on Lake Champlain, under Captain Downie, was discovered over the isthmus formed by the union of the River Saranac and Cumberland Bay, nearing the harbor of Plattsburgh to attack the American squadron under Commodore Mc. Donough, and to co-operate with the forces on land. The British squadron consisted of the Confiance of

thirty-nine guns, the brig Linnet of sixteen guns, the Chub of eleven guns, the sloop Finch of eleven guns, and thirteen gun-boats, five of which carried two guns each and eight one gun each—total ninety-four guns. The American squadron consisted of the Saratoga of twenty-six guns, the Eagle of twenty guns, the Ticonderoga of seventeen guns, the Preble of seven guns, and ten gun-boats, six of which carrying two guns each and four one gun each—total eighty-six guns. The American squadron was moored in line, within the harbor of Plattsburgh, supported by the gun-boats on the flank, awaiting the approach of the British.

About 8 o'clock, A. M., Captain Downie bore into the harbor, and formed his line directly in front of the enemy, each vessel selecting her antagonist according to its strength and agreeable to previous arrangements, within two or three cables length distance. The action between the two hostile fleets commenced with cheers from the crews on both sides; and in consequence of the very light winds which prevailed during the action, the lake was quite smooth, by means of which the fire on both sides had the most destructive effect.

The battle raged for nearly two hours, in the early part of which Captain Downie was killed and the confiance so completely disabled that she was compelled to surrender, a destiny which awaited the other vessels of the British squadron. Three of the British gun-boats had been sunk in an early stage of the action, which considerably weakened their force; but in consequence of the shattered state of the enemy's ships, the remaining gun-boats were enabled to escape.

The British lost in killed and wounded, in this action, one hundre d & seventy-four, eighty-four of whom were killed, including the gallant Downie who commanded the British squadron. The American loss amounted to

one hundred and ten, in killed and wounded, fifty-two of whom were of the former number.

During this naval engagement, the efforts of the land forces had been in some measure successful. The brigades under Generals Robinson and Power had succeeded in forcing a passage across the Saranec; but on the first shouts of victory from the enemy's works, in consequence of the surrender of the British squadron, Sir George Prevost, in the most unaccountable manner, peremptorily commanded them to retreat; and the same evening the guns were all dismounted from the British works; and two hours before day on the following morning, the army retreated once more to Canada, leaving a number of the wounded in the hands of the enemy.

The loss sustained by the British land forces, in killed and wounded, from the 6th to the 14th September, amounted to about two hundred and forty*, but the number was supposed to have been augmented by desertions.

During the time of the expedition to Plattsburgh, and while negotiations for peace were in progress at Ghent, an expedition was undertaken by the British government for the invasion of the shores of the Gulph of Mexico. On the 15th day of September, a squadron under the command of the honorable Captain Wm. Henry Percy of the Royal Navy, consisting of two frigates and two gun brigs, appeared off Mobile. A force was immediately landed under the directions of Colonel Nicholls and Captain Woodbine, for the purpose of attacking Fort Bowyer; (situated on Mobile Point;) but the American commandant, Major Lawrence, withstood the attack with such determined bravery that the force was compelled to retire; and the fire from the fort was so ably

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*Sir George Prevost's Despatches to Earl Bathurst.

directed against the shipping that before they could withdraw themselves without the reach of the cannonade, the Hermes, flag-ship to the squadron, caught fire and exploded.

As soon as the severity of the winter had suspended the military operations on the frontier of Upper and Lower Canada, a force was collected in the neighborhood of the Bermudas under the command of Major General Keane. This force was embarked on board the fleet under Vice-admiral the Honorable Sir Alexander Cochrane. The armament, on the 12th of December, made its appearance in the bay of St. Louis. The American flotilla of gun-boats under Lieutenant Jones, then lying at Cat's Island, took shelter further up the bay, where they were attacked by the British gun-boats under Captain Lockyer, with great bravery and skill; and after an animated engagement, the American gun-boats were compelled to surrender.

General Jackson, who commanded the United States forces in this region, had been for some time employed in making the most formidable preparations for defending New Orleans. He had proclaimed the country as far as his command extended under martial law; he personally superintended the erection of such works of defence as time would permit, and he reviewed the whole of the militia and volunteers in the vicinity of New Orleans, preparatory to their being engaged. No possible exertion that could be made was neglected: General Carrol was called from Tennessee with about five or six thousand troops, who arrived at New Orleans on the 21st December. A host, too, of Baritarian pirates offered themselves to General Jackson as a reinforcement, on condition of a free pardon, whose services were accepted of.

On the 23d, the British army landed, and, making their way through a swamp which lay between the place of

landing and the main position of the enemy, captured a strong piquet stationed at the entrance of a canal called bayou Bien-venu, for the purpose of checking the advance.

General Jackson no sooner heard of the approach of the British column, than placing himself at the head of two regiments of regular troops, the militia and volunteers of Tennessee and New Orleans and a regiment of colored troops, moved a few miles down the river where he awaited the arrival of General Coffie with the force under his command, to whom orders had been previously transmitted to join General Jackson at that place; after which he prosecuted his march down the river, until about dark he found himself coming in contact with the British advance under Colonel Thornton. A heavy fire was immediately commenced on both sides; and an American schooner which had dropped down the river for that purpose, kept up a galling fire upon the British. But Colonel Thornton, perceiving the awkward predicament into which he had fallen, immediately ordered his troops to charge; which compelled the enemy to retreat, and a body of the American rifiemen fell into the hands of the victors.

On the morning of the 25th December, Major General Sir Edward Packenham accompanied by Major General Gibbs, arrived in the British camp and assumed the command of the army. Early on the morning of the 27th, the British forces moved forward in two divisions, driving in the enemy's advanced columns to a position about three miles distant from New Orleans; where his main body was discovered strongly posted in rear of a breast work raised in some places with bales of cotton and covered in front with a very wide ditch; and in consequence of a recent swell in the river, the American general was enabled to inundate the ground in front of his position, which, when the water receded, left a sufficient quantity in the ditch to render it impas-

sable without the aid of temporary bridges or fascines to fill it up.

The Vangeur with a convoy of transports arrived in the bay on the 1st of January, 1815, with a reinforcement of British troops under Major General Sir John Lambert, who arrived in the British lines on the 6th; and on the 4th, a reinforcement of three thousand Kentucky militia arrived in the American camp under Generals Thomas and Adair.

From the time of the arrival of General Lambert until daylight on the morning of the 8th was incessantly employed by the British in preparations for a general assault upon the enemy's intrenchments. Colonel Thornton was ordered to the right bank of the Mississippi with a detachment under his command, to seize a battery erected by the enemy for the purpose of enfilading the British columns in their advance to the attack.

At break of day on the morning of the 8th, the British columns being under arms, and all things being prepared for the onset, a volley of bombs and Congreive rockets were thrown into the American lines; and at the same moment the army commenced its movement upon the enemy's works. General Packenham, after giving the word of command to advance, galloped in front of the advancing columns and continued to animate his men with his hat waving in the air, until he arrived in front of the enemy's position; where reckless of his own invaluable life, he would present himself at all times in the fury of the conflict, in the same animating manner; but such heroic conduct could not escape the observation of the enemy, especially in close quarters; for almost in the same moment of time he received a wound in the knee and another in the body, upon which he fell into the arms of his aid de camp, Major Mc. Dougal, and immediately expired. Generals Keane

and Gibbs were also wounded, the latter of whom died next day.

The circumstance of the fascines and other apparatus for crossing the trenches not having been such, as was now discovered, entirely to answer the purpose for which they were intended—and the troops perceiving all their leaders, as it were, either killed or carried off the field wounded, (as General Lambert expresses in his despatches)—caused a wavering in the ranks, which, in such a situation became irreparable; and as I advanced, continues the general, at about two hundred and fifty yards from the line, I had the mortification to observe the whole falling back upon me in the greatest confusion. The disorder into which the British columns had been thrown at this juncture rendered it impossible, notwithstanding the utmost exertions of General Lambert and the officers under his command, to restore any kind of order in the lines; a short consultation was therefore held, in which it was conceived advisable to withdraw the troops and abandon the enterprise.

On the opposite side of the Mississippi matters wore a more brilliant aspect. Colonel Thornton advanced his detachment to the attack simultaneously with main body on the other side of the river. The forts against which Colonel Thornton's brigade was opposed were defended by a body of Kentucky volunteers and the Louisiana militia under the command of General Morgan, who, after the first fire, retreated in disorder, leaving the British in possession of their intrenchments.

The loss sustained by the British, on both sides of the river, amounted to not less than two thousand and forty in killed, wounded and missing, a great number of whom were of the latter and were afterwards found to be prisoners of war. The loss of the e emy, according to the despatches of his adjutant ge eral, was very

trifling, not exceeding twenty killed and fifty-one wounded.

It was concluded in a council of war held by General Lambert and the heads of departments assisted by Vice-admiral the Honorable Sir Alexander Cochrane, that, from the unsuccessful result of the attack already made upon the enemy, and the heavy loss sustained, to renew the assault was utterly hopeless; it was therefore given up and the army retired from before New Orleans.

Before re-embarking the troops, a second attack was made upon Fort Bowyer on Mobile Point. On the 7th of February, the Vangeur, commanded by Captain Ricketts, was brought up in front of the fort, while the land forces closely invested on the other side: and so closely was the seige pushed that in a few days Major Lawrence found it necessary to accept terms of capitulation, and surrender himself with a garrison of three hundred and sixty-six men, prisoners of war.

On the 15th of January, as a British squadron blockaded the port of New-York, the President frigate, Commodore Decatur, was discovered leaving the harbor; a chase immediately commenced which lasted eighteen hours, when the Endymion came up with and laying herself alongside her antagonist, a spirited action commenced, which was maintained on both sides with equal courage and heroism during a period of two hours and a half, the result of which was the surrender of the President. This was the last naval engagement fought between the two nations, and may be said, together with the most of the campaign in the neighborhood of New Orleans, to have transpired after the plenipotentiaries of the two powers had finished their labors at Ghent.

Thus terminated a second war between Great Britain and America—a contest from the narrative of which,

detailed in the preceding pages, may be seen was evidently commenced by the government of the United States, from the most unworthy motives that possibly could have actuated the councils of a nation. They attempted to practise a scheme of policy, in all their intercourse with Great Britain and France, which was obviously intended to paralyze the whole energies of the British empire, and give loose reins to the high towering ambition of the French usurper; to defeat the means employed by Great Britain in resisting the arrogant and aspiring pretensions of that despot, in the magnanimous stand she had taken in defence of the independence of nations.

It cannot surely be denied by any person having the exercise of reason, that the very first principle in prosecuting a war is to inflict the greatest possible injury upon the enemy, at the least possible risk or expense. Then, precisely so did the case stand with Great Britain: no circumstance ever shone on any page of the annals of the world could have rested more fully and fairly upon this basis. The cause in which England was engaged was the most interesting and the most calculated to draw forth the sympathies of the world at large. To see, as it were, all Europe (Great Britain alone excepted,) groaning under the iron yoke of a haughty, arrogant tyrant, equally reckless of justice or humanity—actually visiting those nations he had already subdued into a state of the most degraded vassalage, with the most unparalleled treachery and the most atrocious violence that ever stained the ambition of despotic power. To redress those wrongs and to emancipate European nations from the galling chains of that despot—in fine, to break the bewildering spell which appeared to hang over the surrounding continent, at his growing power—Great Britain, with a promptitude and generosity confessedly peculiar to herself as a nation, had stepped forward; and to see the councils of America, (let it again be reiterated,) the only republican nation

then in existence, willingly enlist the energies of that country into the service of the French ruler, to oppose the grand struggle for freedom, is a problem, to the solution of which the historian is compelled humbly to acknowledge himself incompetent.

But, however the warlike resources of Great Britain were absorbed in the peninsular war, the celebrity of her arms was gallantly sustained (as is seen in the foregoing review of the operations of the war,) by the brave militia and fencible corps of Canada, Nova Scotia and New Brunswick; to whom, with the few regular troops then in the country, was entrusted the defence of the whole of that part of the British empire; and to the small naval force which could be spared on that service, whose gallant conduct stands forth eminently conspicuous, when it is considered the prodigious disadvantages under which they had at at all times to engage an American.

On the 8th of August, the day on which the plenipotentiaries of Great Britain and the United States held their first conference at Ghent, the English ministers submitted to the American commissioners the following *projet*, explanatory of the subjects to be brought under discussion*:

1st. The forcible seizure of mariners on board of merchant vessels and, in connection with it, the claims of his Britannic Majesty to the allegiance of all his native subjects.

2d. The Indian allies of Great Britain to be included in the pacifications, and a definite boundary to be settled for their territory. The British commissioners stated that an arrangement upon this subject was a *sine qua non*.

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*Draft of the original Protocol, made by the American ministers at the two first conferences held with the British commissioners.

3d. A review of the boundary line between the United States and the adjacent British colonies.

With respect to this point, the British commissioners disclaimed any intention, on the part of their government, to acquire any increase of territory.

4th. The fisheries, respecting which the British government will not allow the people of the United States the privilege of landing and drying fish, within the territorial jurisdiction of Great Britain, without an equivalent.

The American ministers, at the second meeting, which was held the following day, stated that, upon the first and third points proposed by the British commissioners, they were prepared with no instructions from their government; but that on the second and fourth of these points, there not having existed, hitherto, any difference between the two governments, they had not been anticipated by the United States, and were therefore not provided for in their iustructions: that, in relation to an Indian pacification, they knew that the government of the United States had appointed commissioners to treat for peace with the Indians; and that it was not improbable that peace had already been made with them. At the same time, the American commissioners presented, as further subjects considered by the government of the United States as suitable for discussion, the following:

1st. A definition of blockade, and, as far as may be agreed, of other neutral and belligerent rights.

2d. Certain claims of indemnity to individuals, for captures and seizures preceding and subsequent to the war.

3d. They further stated, that there were various other points to which their instructions extend, which might with propriety be the subjects of discussion, either in he negotiation of the peace or in that of a treaty of commerce; which, in case of a propitious termination of the conferences, they were likewise authorised to conclude. That for the purpose of facilitating the first and most essential object of peace, they had discarded every subject which was not considered so peculiarly connected with that, and presented only those points which appeared to be immediately relevant to the negotiation.

At a subsequent meeting held on the 10th, the British commissioners endeavored to impress the American ministers with the propriety of giving up certain places ceded to the United States by the memorable treaty of 1783, for the purpose of rendering the limits of Canada more precise and secure; but upon this point the Americans were immovable.

The most important, as well as the most difficult subjects in dispute between the two countries, were undoubtedly those relating to the impressment of seamen from American ships, and the limits of blockade. The peace in Europe had, however, reduced these questions to mere abstract principles, regarding the future rather than the present; and both parties, aware of the difficulty, agreed to wave discussions upon whtch it seemed impossible to arrive at any amicable conclusion. The other subjects of importance were the admission of the Indians to the treaty and the establishment of a new Canadian frontier. On the former of these points, it was agreed that the Indian allies of both parties should be left in the same situation in which they were found in 1812; and on the latter, that any ambiguity regarding the territorial limits between Canada and the United

States should be removed by commissioners appointed on both sides for that purpose; but that the line of demarkation, as drawn by the treaty of 1783, should form the standard of their decisions*.

The foregoing formed the basis of an amicable arrangement of the differences between the two countries, and was concluded by the signature of a treaty of peace to that effect, at Ghent, on the 24th December, 1814.

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*For the foregoing summary, see Baines' Wars of the French Revolution.

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APPENDIX.

An Act declaring War between the United Kingdom of Great Britain and Ireland, and the Dependencies thereof, and the United States of America, and their Territories.

Be it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, that war be, and the same is hereby declared to exist, between the united kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America and their territories; and that the president of the United States be, and is hereby authorised, to use the whole land and naval force of the United States, to carry the same into effect; and to issue to private armed vessels of the United States, commissions or letters of marque and general reprisal, in such form as he shall think proper, and under the seal of the United States, against the vessels, goods and effects of the government of the said united kingdom of Great Britain and Ireland, and the subjects thereof.

JAMES MADISON.

June 18, 1812.—Approved.

Declaration of War against America—at the Court of Carlton-house, October 13, 1812—*present, His Royal Highness the Prince Regent in Council.*

Whereas, in consequence of information having been received of a declaration of war by the United States government against His Majesty, and of the issue of letters of marque and reprisal by the said government, against His Majesty and his subjects, an order in council, bearing date the 31st of July last, was issued, directing that American ships and goods should be brought in and detained till further orders; and whereas His Royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty, forbore at that time to direct letters of marque and reprisal to be issued against the ships, goods, and citizens of the said United States of America, under the expectation that the said government would, upon the notification of the order in council of the 23d of June last, forthwith recall and annul the said declaration of war against His Majesty, and also annul the said letters of marque and reprisal.

And whereas the said government of the United States of America, upon due notification to them of the said order in council of the 23d of June last, did not think fit to recall the said declaration of war and letters of marque and reprisal, but have proceeded to condemn, and persisted in condemning the ships and property of His Majesty's subjects as prize of war, and have refused to ratify a suspension of arms agreed upon between Lieutenant General Sir George Prevost, His Majesty's governor-general of Canada, and General Dearborn, commanding the American forces in the northern provinces of the United States, and have directed hostilities to be recommenced in that quarter.

His Royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty, and with the advice of His Majesty's privy council, is hereby pleased to order, and it is hereby ordered, that general reprisals be granted against the ships, goods and citizens of the United States of America, and others inhabiting within the territories thereof (save and except any vessels to which His Majesty's license has been granted, or which have been directed to be released from the embargo, and have not terminated the original voyage on which they were detained or released,) so that as well His Majesty's fleets and ships, as also all other ships and vessels that shall be commissioned by letters of marque or general reprisals, or otherwise by His Majesty's commissioners for executing the office of lord high admiral of Great Britain, shall or may lawfully seize all ships, vessels and goods belonging to the government of the United States of America, or the citizens thereof, or others inhabiting within the territories thereof, and bring the same to judgement in any of the courts of admiralty within His Majesty's dominions; and to that end His Majesty's advocate-general, with the advocate of the admiralty, are forthwith to prepare the draught of a commission, and present the same to His Royal Highness the Prince Regent at this board, authorising the commissioners for executing the office of lord high admiral, or any person or persons by them empowered and appointed, to issue forth and grant letters of marque and reprisals to any of His Majesty's subjects, or others whom the said commissioners shall deem fitly qualified in that behalf for the apprehending, seizing and taking the ships, vessels and goods belonging to the United States of America or the citizens thereof, or others inhabiting within the countries, territories, or dominions thereof, (except as aforesaid,) and that such powers and clauses be inserted in the said commission as have been usual, and are according to former precedents; and His Majesty's advocate-general, with the advocate of the admiralty, are also forthwith to prepare the draft of a

commission, and present the same to His Royal Highness the Prince Regent at this board, authorizing the said commissioners for executing the office of lord high admiral to will and require the high court of admiralty of Great Britain, and the lieutenant and judge of the said court, his surrogate or surrogates, as also the several courts of admiralty within His Majesty's dominions, to take cognizance of, and judicially proceed upon all and all manner of captures, seizures, prizes and reprisals of all ships and goods that are or shall be taken, and to hear and determine the same, and, according to the course of admiralty and the laws of nations, to adjudge and condemn all such ships, vessels and goods as shall belong to the government of the United States of America, or the citizens thereof, or to others inhabiting within the countries, territories, and dominions thereof, (except as aforesaid;) and that such powers and clauses be inserted in the said commission as have been usual, and are according to former precedents; and they are likewise to prepare and lay before His Royal Highness the Prince Regent, at this board, a draught of such instructions as may be proper to be sent to the courts of admiralty in his majesty's foreign governments and plantations, for their guidance herein; as also another draught of instructions for such ships as shall be commissioned for the purpose above mentioned.

His Royal Highness the Prince Regent is nevertheless pleased hereby to declare, in the name and on the behalf of His Majesty, that nothing in this order contained shall be understood to recall or affect the declaration which His Majesty's naval commander on the American station has been authorised to make to the United States of America—namely, that His Royal Highness, animated by a sincere desire to arrest the calamities of war, has authorised the said commander to sign a convention, recalling and annulling, from a day to be named, all hostile orders issued by the respective governments, with a view of restoring, without delay,

the relations of amity and commerce between His Majesty and the United States of America.

From the court of Carlton-house, the thirteenth of October, one thousand eight hundred and twelve.

(Signed,) CASTLEREAGH.
N. VANSITTART.
CHARLES LONG.
LIVERPOOL.
BATHURST.
MELVILLE.
SIDMOUTH.

New-York Convention.

At a convention of delegates from the several counties of the state of New-York, held at the capitol in the city of Albany, on the 17th and 18th days of September, 1812—

Resolved, That the doctrine of late so violently inculcated, that when war is once declared, all inquiry into its justice and expediency ought to cease, and all opposition to the men in power immediately to be abandoned, is essentially hostile to the vital principles of our republican institutions; and if adopted, would change our present government into one of the worst species of tyranny which the ingenuity of the foes of freedom has yet contrived—a government, republican in its forms, in spirit and in practice arbitrary and despotic—that it must be obvious to the most ordinary capacity, that were such a doctrine to prevail, an administration which by its corruption or imbecility had justly forfeited the confidence of the people, would be tempted to plunge the nation into an unjust or unnecessary war, for the sole purpose of perpetuating their power, and thus building their own greatness on the ruins of their country.

Resolved, That without insisting on the injustice of the present war, taking solely into consideration the time and circumstances of its declaration, the condition of the country, and state of the public mind, we are constrained to consider, and feel it our duty to pronounce it a most rash, unwise, and inexpedient measure; the adoption of which ought for ever to deprive its authors of the esteem and confidence of an enlightened people; because, as the injuries we have received from France are at least equal in amount to those we have sustained from England, and have been attended with circumstances of still greater insult and aggravation; if war were necessary to vindicate the honor of the country, consistency, and impartiality required that both nations should have been included in the declaration; because if it were deemed expedient to exercise our right of selecting our adversary, prudence and common sense dictated the choice of an enemy, from whose hostility we had nothing to dread. A war with France would equally have satisfied our insulted honor, and at the same time, instead of annihilating, would have revived and extended our commerce; and even the evils of such a contest would have been mitigated by the sublime consolation, that by our efforts we were contributing to arrest the progress of despotism in Europe, and essentially serving the great interests of freedom and humanity throughout the world; because a republican government, depending solely for its support on the wishes and affections of the people, ought never to declare a war, into which the great body of the nation are not prepared to enter with zeal and alacrity; as where the justice and necessity of the measure are not so apparent as to unite all parties in its support, its inevitable tendency is to augment the dissentions that have before existed, and by exasperating party violence to its utmost height, prepare the way for civil war; because, before a war was declared it was perfectly well ascertained, that a vast majority of the people in the middle and northern states, by whom the burthen and expenses of the contest must be borne

almost exclusively, were strongly opposed to the measure; because we see no rational prospect of attaining, by force of arms, the object for which our rulers say we are contending; and because the evils and distresses which the war must of necessity occasion, far overbalances any advantages we can expect to derive from it; because the great power of England on the ocean, and the amazing resources she derives from commerce and navigation, render it evident, that we cannot compel her to respect our rights and satisfy our demands, otherwise than by a successful maritime warfare, the means of which we not only do not possess, but our rulers have obstinately refused to provide; because the exhausted state of the treasury, occasioned by the destruction of the revenue derived from commerce, should the war continue, will render necessary a resort to loans and taxes to a vast amount—measures by which the people will be greatly burthened and oppressed, and the influence and patronage of the executive alarmingly increased; and, finally, because of a war begun with such means as our rulers had prepared, and conducted in the mode they seem resolved to pursue, we see no grounds to hope the honorable and successful termination.

Resolved, That while we condemn the war, in the most distinct and unqualified terms, we are deeply sensible of the new duties and obligations which the change of our national relations has imposed upon us, and are fully determined in our several capacities of magistrates, soldiers and citizens, to obey with promptness and alacrity all constitutional requisitions of the proper authorities; seeking no other redress for the evils of which we complain, than that which we confidently trust will be obtained from a change of sentiment in the people, leading to a change of men and measures.

Resolved, That we view the creation of new states out of territories not within the ancient limits of th United States as inconsistent with the spirit of the feudal com-

pact, and calculated to destroy the weight which the old, great, and populous states ought to have in the Union, and utterly to frustrate and disappoint the great purpose for which they entered into the confederacy.

Resolved, That we consider the employment of the militia, for the purpose of offensive war, as a palpable violation of the constitution, as extremely offensive to the people, as the most expensive and the least efficient mode of conducting the war, and as a serious and alarming encroachment on the rights of the several states, which it behoves the true friends of our excellent institutions, by all lawful means, firmly to resist.

Whereas the late revocation of the British Orders in Council has removed the great and ostensible cause of the present war, and prepared the way for an immediate accommodation of all existing differences, inasmuch as, by the confession of the present secretary of state, satisfactory and honorable arrangements might easily be made, by which the abuse resulting from the impressment of our seamen, might, in future, be effectually prevented—Therefore,

Resolved, That we shall be constrained to consider the determination on the part of our rulers to continue the present war, after official notice of the revocation of the British Orders in Council, as affording conclusive evidence, that the war has been undertaken from motives entirely distinct from those which have been hitherto avowed, and for the promotion of objects wholly unconnected with the interest and honor of the American nation.

Resolved, That we contemplate with abhorrence, even the possibility of an aliance with the present emperor of France, every action of whose life has demonstrated, that the attainment, by any means, of universal empire, and the consequent extinction of every vestige

of freedom, are the sole objects of his incessant, unbounded, and remorseless ambition. His arms, with the spirit of freemen, we might openly and fearlessly encounter; but, of his secret arts, his corrupting influence, we entertain a dread we can neither conquer nor conceal. It is therefore with the utmost distrust and alarm that we regard his late professions of attachment and love to the American people, fully recollecting, that his invariable course has been, by perfidious offers of protection, by deceitful professions of friendship, to lull his intended victims into the fatal sleep of confidence and security, during which the chains of despotism are silently wound round and rivetted on them

Resolved that we are firmly attached to the union of the states, most conscientiously believing, that on its preservation, the future peace, security and independence, as well as power and grandeur of the American nation, must mainly depend; and we are therefore strengthened in our reprobation of the measures of our present rulers, from a consideration of their evident tendency to produce a dissolution of that union which we so warmly cherish.

Whereas, in the opinion of this convention, the dangers which seem to threaten the existence of the union have chiefly arisen from a course of policy, by which the interests of the commercial states have been wantonly sacrificed to local prejudices and state jealousies; and whereas our minds are irresistibly impressed with the conviction that a change of system is now demanded by the imperious law of self preservation—therefore, resolved, that to effect a purpose so desirable, but so necessary, as a change of our present rulers, [illegible] of party, which separate men, differing, [illegible] ple but in name merely, ought to be thrown [illegible] every obstacle removed which can prevent [illegible]

the full and cordial co-operation of those who are actuated by the same feelings, and entertain the same sentiments.

Resolved, That it be recommended to the friends of peace, liberty, and commerce, who are opposed to the present war, without distinction of parties, to assemble in their respective counties, wherein such meetings have not been already held, and appoint committees of correspondence and conference, who, if deemed necessary hereafter, may meet in convention, for the purpose of explaining and comparing their sentiments, and concerting a common plan of operation, having for its object the restoration of peace to our degraded and afflicted country.

JACOB MORRIS, President.
WM. HENDERSON, Secretary.

Address of the House of Assembly to the People of Upper Canada, on the Declaration of War.

The house of assembly having nearly completed the necessary business for which they were called together, beg leave before they return home, to lift up their warning voice at this eventful crisis. The declaration of war issued against Great Britain by the United States, when first announced, appeared to be an act of such astonishing folly and desperation, as to be altogether incredible, and not only excited the greatest surprise among the inhabitants of this province, but among the great majority of our enemies themselves. So many cogent reasons from interest, affection and virtue, pleaded for an opposite policy, that the most intelligent became the most credulous. That a government professing to be the friend of man and the great supporter of his liberty and independence, should light up the torch of war against the only nation that stands between itself and destruction, exhibited a degree of infatuation or madness altogether

incomprehensible—"it cannot be," said the wiser part of our inhabitants—"the United States will never declare war against a nation which has uniformly treated them with kindness and respect, whose fleets protect their commerce, and whose armies support their freedom and independence." But the men at present ruling the states, infatuated, or, as their more enlightened countrymen say, "bribed by the tyrant of France," regardless of the best interests of their country and the feelings and affections of a great majority of their own people, have commenced hostilities against our mother country while treating their vessels with hospitality, and instead of threatening their liberties, offering the most equitable terms of accommodation.

This war, on the part of the United States, includes an alliance with the French usurper, whose dreadful policy has destroyed all that was great and good, venerable and holy on the continent of Europe. The government of this bloody tyrant penetrates into every thing—it crushes individuals as well as nations, fetters thoughts as well as motives, and delights in destroying for ever all that is fair and just in opinion and sentiment. It is evidently this tyrant who now directs the rulers of America, and they show themselves worthy disciples of such a master. Already have they seduced two provinces from Spain. They first tempted the people to rebel against their lawful government. and then they deceived and oppressed them.

They chose a time, to themselves the most inglorious, for this infamous conduct; when Spain, overwhelmed with calamities and fighting most nobly at home for liberty and every thing dear to man, was not able to send seasonable aid to her distant colonies. It is certainly not the least wonderful among the occurrences of this astonishing age, that we should find a nation descended from Englishmen, connected still by the same language and laws, by consanguinity and many similar habits, not

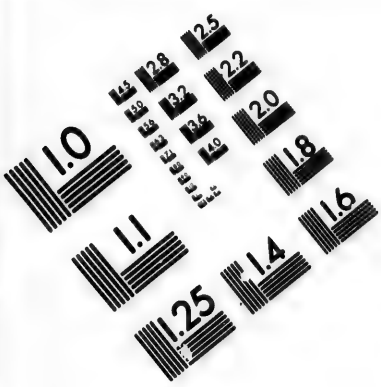
merely eulogizing the implacable enemy of their parent state, but joining him in the war; and while pretending to nourish the purest principles of liberty, bowing the knee before the foe of all just and rational freedom, and supplicating his acceptance of tribute and adulation.

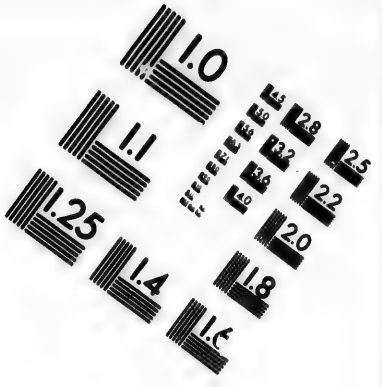
From this degrading picture, at which the friends of mankind and posterity will weep, we turn with joy to you, many of whom have already risked your lives for the unity of the empire—we are confident that the same spirit still animates your breasts and those of your children, that you still retain the same love for your excellent king, the same veneration for a free and happy constitution that you exhibited during the American war. You preserved your loyal principles amidst the most dreadful political divisions and most implacable hostilities; you were not to be cajoled by those wicked and designing men who looked for private gratification in the public ruin; you were not to be deceived by their slanders on the parent state; you felt no hardship, no cruel oppression; you saw no example of inhumanity and cruelty—these were imaginary evils, invented for the most wicked purposes, by those who sought for gain amidst slaughter and blood. You resisted their influence and you acted nobly; you were not indeed successful, but the attempt covers you with glory. When we picture to ourselves the sublime prospect the world would have exhibited this day, had the population of the neighboring states preserved like you, their filial love, we should not have now beheld the continent of Europe groaning under the yoke of a sanguinary tyrant, nor his satellites in America studiously imitating his ferocious example.

It is therefore from former experience that we look to you for the same patriotic principles, principles which enabled you to face death in its most dreadful attire, principles which exalt human nature, and which have been warmly cherished by the most virtuous and re

nowned in every age; and surely when we are attacked by the same enemy, who once already aided by the mistaken lenity of our mother country and the misconduct of her commanders, were able to drive us from our native homes and possessions to this province, a people whose lands are manured with the blood of our friends and kinsmen, who drove our wives and children from their houses in the woods, or threw them into dungeons, and who now envy us the habitations which through the blessing of Providence, the beneficence of our parent state and our own industry, we have gained from the wilderness: we are confident that you will display the same energy, and certainly with better hopes of success. Great Britain will not now consider Americans as perverse children who may be reclaimed, but as her most malignant foes. Her commanders will not, as formerly, temporise and raise hosts of enemies by their misconduct and delays, but they will hasten to punish them with all the rigor of war.

Already have we the joy to remark, that the spirit of loyalty has burst forth in all its ancient splendor. The militia in all parts of the province have volunteered their services with acclamation, and displayed a degree of energy worthy of the British name. They do not forget the blessings and privileges which they enjoy under the protection and fostering care of the British empire, whose government is only felt in this country by acts of the purest justice, and most pleasing and efficacious benevolence. When men are called upon to defend every thing they hold precious, their wives and children, their friends and possessions, they ought to be inspired with the noblest resolutions, and they will not be easily frightened by menaces, or conquered by force. And beholding as we do, the flame of patriotism burning from one end of the Canadas to the other, we cannot but entertain the most pleasing anticipations. Our enemies have indeed said, that they can subdue this country by a proclamation; but it is our parts to prove





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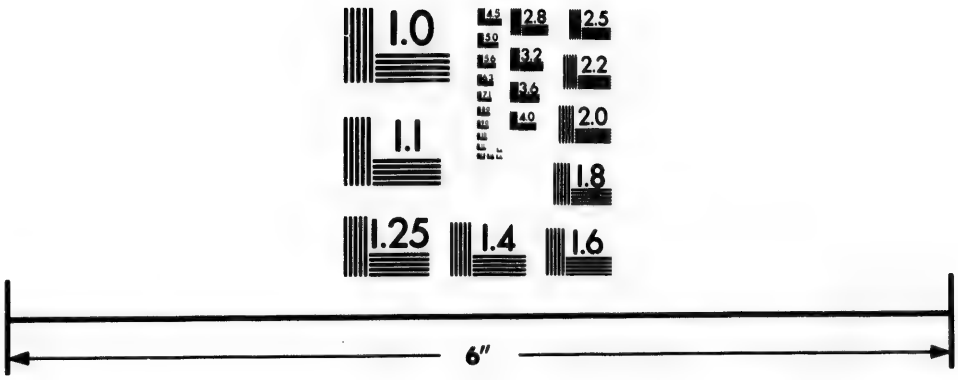

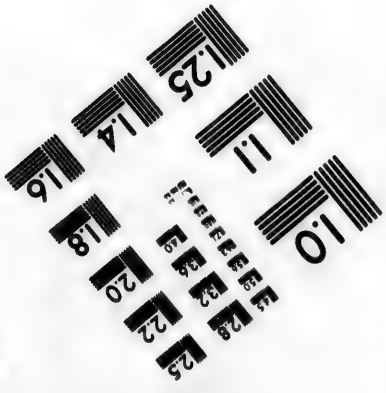

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to them that they are sadly mistaken; that the population is determinately hostile, and that the few who might be otherwise inclined, will find it their safety to be faithful.

For nothing is clearer than this, that if there be any person so base and degenerate as to join the enemy after having taken the oath of allegiance, he not only forfeits his property but his life. The British government never will make peace with the American states, till full and ample indemnification has been received for all depredations committed in this country; nor will we permit a single traitor ever to return. Let those who have come from the neighboring states consider this well, and assure themselves, that as we are eager to reward loyalty and affection for the government, so are we not slow in punishing treachery.

Innumerable attempts will be made by falsehood, to detach you from your allegiance; for our enemies, in imitation of their European master, trust more to treachery than to force; and they will, no doubt, make use of many of those lies, which unfortunately for the virtuous part of these states, and the peace and happiness of the world, had too much success during the American rebellion: they will tell you that they are come to give freedom—yes, the base slaves of the most contemptible faction that ever distracted the affairs of any nation—the minions of the very sycophants who lick the dust from the feet of Buonaparte, will tell you, that they are come to communicate the blessing of liberty to this province; but you have only to look at your situation to put such hypcrites to confusion.

In order to insure our prosperity and happiness, a constitution has been given us, modelled from that of our parent state; not the hasty production of a day, but rising out of the experience of centuries. A governor standing in the place of His Majesty, a legislative coun-

cil composed of a select number of the principal inhabitants of this province, and the representatives of the people fairly chosen. In the appointment of a legislative council, a reward is presented to those who shall deserve well of the public, and a foundation laid for an influence different from that which is produced by overgrown wealth. Honors are a cheaper and more effectutual mode of remunerating valor, genius and singular attachment, than any sordid or pecuniary benefit. They are such rewards as meet the feelings of the generous and noble minded, and they nourish that pure and exalted ambition which gives life and energy to public affairs, which rouse the most dignified principles of action, and extinguish that low, groveling policy which only aims at despicable gratifications.

If the real foundation of true liberty, and consequently of solid happiness, consists in being amenable only to such laws as we or our representatives ordain, then are we in possession of that liberty and that happiness, for this principle was fully recognized by our excellent constitution. Your house of assembly are truly elected by the people—consequently all have a share in the government, because all have a vote in the election of those who make the laws. If those laws are not favorable to virtue, if they are not clear and precise, we have nobody to blame but ourselves, and we have the power of altering them.

The time for which our representatives are chosen, has a view to the situation of the province as well as to the state of the public mind. The period is infinitely better than annual elections, because it gives the representatives to comprehend the business for which they are sent, and enables them to bring to maturity regulations which require information from different parts of the country.

The qualifications for becoming an elector are simple and moderate; every person may soon possess them, who is not convicted of felony, and who has attained the legal age. Nor is any person excluded from becoming a representative, except the public teachers of religion, and such as are not subjects of the king. Is not this constitution perfect above all others? In our laws and institutions there is so much wisdom, such an anxiety to keep the moral code always in view, such an attention to our feelings, such a regard to the preservation of our rights both in person and property, such a steady abhorrence of vice, and such a strict enforcement of virtue, in as far as it can become the object of public regulation, as merits, on our part, the most steady attachment; and in putting them in force there is, if possible, more to praise than in the laws themselves. If ever impartiality in the administration of justice was attained, we certainly have attained it. There is no interference on the part of government. The true interest of the rulers as well as of the people is known to depend upon the unfettered operations of the laws. The judges and crown officers selected from an honorable and liberal profession—men whose minds are raised by their education far above all narrow and sordid views—are appointed to put the laws in force. When we behold these upright dispensers of justice without any temptation to the right or to the left, prepared by a long course of study for their awful and important functions; when we behold them hearing with the greatest candor and most invincible patience, not merely the causes between different subjects, but those between private citizens and their sovereign, and instead of leaning to the rulers who appoint them, giving every proper facility to the prisoner, attending particularly to his defence, and even becoming his council when he errs. Shall we not feel grateful to a government which promotes and sanctions so great uprightness, and which seeks so eagerly the happiness of its people. It is not enough that we be obedient subjects to such a government as this; we

must be active in its defence against open enemies and internal foes. Is there any person who is not conscious that he is completely master of his own conduct—that the quiet possession of his life, his person and property, and good name, are secured to him by the laws. Do we not feel that our government is able, and not merely able, but careful to protect the rights of every individual, and to allow him as much liberty as is compatible with the rights of his fellow subjects; protecting him against all oppression, giving free scope to the exertion of his talents, and in every way contributing to his comfort and happiness. Such is a faint sketch indeed of the glorious constitution which we enjoy; and this we are called upon to exchange for the government of the United States; a government which has oppressed and impoverished its own people, and deprived them virtually, of all their valuable privileges. For how can liberty exist among a people where officers of state and representatives crouch to a bloody tyrant? Be vigilant against such an enemy; the contest is indeed awful and to be deplored; but of the event your representatives entertain no dread.

It is not necessary for us to examine the causes alledged by our enemies for this unjust and unnatural war, because an address from the house of representatives of the state of Massachusetts, the most respectable in the union, proves in the most satisfactory manner, that it is wanton and unprovoked, and is the climax of the various outrages previously committed against Great Britain. In this statement they have been joined by the minority in congress, whose exposition of the secret reasons of the war, and the falsehood of those alledged by the president and his friends is unanswerable, and must hand down the promoters of this diabolical measure to the execration of posterity. Indeed the more enlightened and best informed persons in the United States, all men who love their native land and think with impartiality, are against the war; and as they

form an increasing majority, we have every reason to suppose, that they will be able to hurl their opponents from power, and speedily to restore peace to their country.

Finding on their meeting that the province was actually invaded, it became immediately necessary for your representatives to give as much efficacy as possible to our natural means of defence. For this purpose, several alterations have been made in the militia laws, which being framed from a state of tranquility, were too weak in their provisions for actual war. These alterations render it easy for the commander in chief of the province to call out any part, or in case of necessity the whole militia, subject while embodied to the strictest discipline, that they may become truly formidable to the enemy.

Your representatives persuaded themselves that the great majority of their constituents were willing to make every sacrifice at such a time as this, and to endure a temporary privation of liberty, in order ultimately to secure the whole. In providing for the defence of the province, your representatives did not hesitate to enact the severest punishment against those who refuse to march against the enemy, or who endeavor by their influence to discourage and deter others. But as they apprehend more danger from the private machinations of their foes than their open attacks, it was necessary to restrain the liberty of those who were not immediately called into the field.

Trusting more to treachery than open hostility, our enemies have already spread their emissaries through the country to seduce our fellow subjects from their allegiance, by promises as false as the principles on which they are founded. A law has therefore been enacted for the speedy detection of such emissaries, and for

their condign punishment on conviction—a law which it will not be easy to escape.

In passing these different acts for the defence and preservation of the province, your representatives proceeded with all possible moderation. The exigency of the times would perhaps have justified them in adopting stronger measures; but they were not disposed to abridge the rights and privileges of the people, any further than was absolutely necessary. It did not escape them, that placed as we are so near our enemies, bordering upon them through such an extensive line of country, connected with them by so many ties, and so many persons lately from American states settled among us, whose inclinations, though in the main good, would naturally lean against us, ordinary measures of caution were not sufficient. But trusting, on the other hand, to the well tried loyalty of the great body of the people, to assist in the execution of the laws and the detection of those doubtful characters and secret traitors, they have been induced to adopt the most lenient which a due attention to the general safety would admit.

Your representatives finished their labors with placing in the hands of his honor, the president, all the public money that they could collect, in order to contribute as much as possible to the extraordinary expence which the war renders necessary, and they have the fullest confidence that it will be most faithfully applied. Having thus endeavored, to the best of their abilities, to provide for the welfare and safety of the province, your representatives take the liberty of reminding you that the best laws are useless without the zealous cooperation of the people; unless you are prepared to undergo the greatest privations, and to make the severest sacrifices, all that your representatives have done will be of no avail. Be ready, then, at all times, to rally round the royal standard, and let those who are not called into service assist the families of those who are

called into the field. Be quick to discern and prompt to seize upon all those who either by word or deed seek to stifle or discourage that ardent patriotism which at this moment animates all the inhabitants of this province; let your whole attention be applied to the defence of the country and the defeat of our enemy.

Inspired with this disposition, your representatives are confident of success, for although they admit that the contest will be terrible and the hardships which you will have to suffer severe, yet the justice of our cause, and your gratitude and attachment to the illustrious nation of which you form a part, will enable you to surmount them. And let no one deceive you with vain terrors concerning the new powers with which we have armed government. The good and loyal will never perceive them, except in the greater security which they will give him; for they are placed in the hands of his excellency General Brock, a commander no less distinguished for his valor in the field than for his justice and humanity. In his wisdom and experience, in war, your representatives have the firmest reliance; and they rejoice that at such a crisis, a general of so great abilities, and whose private merits gain the hearts of all who know him, should, through Divine Providence, be placed at the head of this government.

Remember, when you go forth to the combat, that you fight not for yourselves alone, but for the whole world. You are defeating the most formidable conspiracy against the civilization of man that ever was contrived; a conspiracy threatening greater barbarism and misery than followed the downfall of the Roman empire—that now you have an opportunity of proving your attachment to the parent state which contends for the relief of oppressed nations, the last pillar of true liberty, and the last refuge of oppressed humanity.

Persevere as you have begun, in your strict obedience to the laws and your attention to military discipline; deem no sacrifice too costly which secures the enjoyment of our happy constitution; follow, with your countrymen in Britain, the paths of virtue, and, like them, you shall triumph over all your unprincipled foes.

(Signed,) ALLAN MAC LEAN,
Speaker.

Commons House of Assembly, August 5th, 1812.

Letter of Colonel Cass, of the Army late under the Command of Brigadier General William Hull, to the Secretary of War.

Washington, September 10th, 1812.

Sir—Having been ordered on to this place by Colonel Mc. Arthur, for the purpose of communicating to the government such particulars respecting the expedition lately commanded by Brigadier General Hull and its disasterous result, as might enable them correctly to appreciate the conduct of the officers and men, and to develope the causes which produced so foul a stain upon the national character, I have the honor to submit for your consideration the following statement:

When the forces landed in Canada, they landed with an ardent zeal and stimulated with the hope of conquest. No enemy appeared within view of us, and had an immediate and vigorous attack been made upon Malden, it would doubtless have fallen an easy victory. I knew general Hull afterwards declared he regretted this attack had not been made, and he had every reason to believe success would have crowned his efforts. The reason given for delaying our operations was to mount our heavy cannon, and afford to the Canadian militia time and opportunity to quit an obnoxious service. In the course of two weeks, the number of their militia who

were embodied had decreased by desertion from six hundred to one thousand men: and, in the course of three weeks, the cannon were mounted, the ammunition fixed, and every preparation made for an immediate investment of the fort. At a council, at which were present all the field officers, and which was held two days before our preparations were completed, it was unanimously agreed to make an immediate attempt to accomplish the object of the expedition If by waiting two days we could have the service of our artillery, it was agreed to wait; if not, it was determined to go without it and attempt the place by storm. Thiso pinion appeared to correspend with the views of the general, and the day was appointed for commencing our march. He declared to me that he considered himself pledged to lead the army to Malden. The ammunition was placed in the wagons, the cannon were embarked on board the floating batteries, and every requisite was prepared. The spirit and zeal, the ardor and animation displayed by the officers and men on learning the near accomplishment of their wishes, a sure and sacred pledge, that in the hour of trial they would not be wanting in duty to their country and themselves, in opposition to the wishes and opinions of all the officers, was adopted by the general. The plan of attacking Malden was abandoned, and instead of acting offensively, we broke up our camp, evacuated Canada, and re-crossed the river in the night, without even the shadow of an enemy to injure us. We left to the tender mercy of the enemy the miserable Canadians who had joined us, and the *protection* we afforded them was but a passport to vengeance. This fatal and unaccountable step dispirited the troops, and destroyed the little confidence which a series of timid, irresolute and indecisive measeres had left in the commanding officer.

About the tenth of August, the enemy received a reinforcement of four hundred men. On the twelfth, the commanding officers of three of the regiments (the

fourth was absent,) were informed through a medium which admitted of no doubt, that the general had stated that a capitulation would be necessary. They, on the same day, addressed to Governor Meigs of Ohio a letter, of which the following is an extract:

"Believe all the bearer will tell you. Believe it, however it may astonish you, as much as if told by one of us. Even a c——— is talked of by the ———. The bearer will fill the vacancy."

The doubtful fate of this letter rendered it necessary to use circumspection in its details, and therefore the blanks were left. The word 'capitulation' will fill the first and 'commanding general' the other. As no enemy was near us, and as the superiority of our force was manifest, we could see no necessity for capitulating nor any propriety in alluding to it. We therefore determined in the last resort to incur the responsibility of divesting the general of his command. This plan was eventually prevented by two of the commanding officers of regiments being ordered upon detachments.

On the 13th, the British took a position opposite to Detroit, and began to throw up works. During that and the two following days, they pursued their object without interruption and established a battery for two eighteen pounders and an eight inch howitzer. About sunset on the 14th, a detachment of 350 men from the regiments commanded by Colonel M'Arthur and myself was ordered to march to the river Raisin, to escort the provisions, which had some time remained there protected by a company under the command of Captain Brush.

On Saturday, the 15th, about 1 o'clock, a flag of truce arrived from Sandwich, bearing a summons from General Brock, for the surrender of the town and fort of Detroit, stating, he could no longer restrain the fury of the savages. To this an immediate and spirited

refusal was returned. About four o'clock their batteries began to play upon the town. The fire was returned and continued without interruption and with little effect till dark. Their shells were thrown till eleven o'clock.

At daylight, the firing recommenced; about the same time the enemy began to land troops at the Springwells, three miles below Detroit, protected by two of their armed vessels. Between 6 and 7 o'clock, they had effected a landing and took up thir line of march. They moved in a close column of platoons, twelve in front, upon the bank of the river.

The fourth regiment was stationed in the fort; the Ohio volunteers and a part of the Michigan militia, behind some pickets, in a situation in which the whole flank of the enemy would have been exposed. The residue of the Michigan militia were in the upper part of the town to resist the incursions of the savages. Two twenty-four pounders loaded with grape shot were posted on a commanding eminence, ready to sweep the advancing column. In this situation, the superiority of our position was apparent, and our troops, in the eager expectation of victory, awaited the approach of the enemy. Not a sigh of discontent broke upon the ear; not a look of cowardice met the eye. Every man expected a proud day for his country, and each was anxious that his individual exertion should contribute to the general result.

When the head of their column arrived within about five hundred yards of our line, orders were received from General Hull for the whole to retreat to the fort, and for the twenty-four pounders not to open upon the enemy. One universal burst of indignation was apparent upon the receipt of this order. Those whose conviction was the deliberate result of a dispassionate examination of passing events, saw the impropriety of crowding one thousand one hundred men into a little work, which three hundred could fully man, and into which the shot

and shells of the enemy were falling. The fort was in this manner filled; the men were directed to stack their arms, and scarcely was an opportunity afforded of moving. Shortly after, a white flag was hung out upon the walls. A British officer rode up to inquire the cause. A communication passed between the commanding generals, which ended in the capitulution submitted to you. In entering into this capitulation, the general took counsel from his own feelings only. Not an officer was consulted. Not one anticipated a surrender till he saw the white flag displayed. Even the women were indignant at so shameful a degradation of the American character, and all felt as they should have felt but he who held in his hands the reins of authority.

Our morning report had that morning made our men present, fit for duty, one thousand and sixty, without including the detachment before alluded to, and without including three hundred of the Michigan militia on duty. About dark on Saturday evening, the detachment sent to escort the provisions received orders from General Hull, to return with as much expedition as possible. About ten o'clock the next day they arrived within sight of Detroit. Had a firing been heard, or any resistance visible, they would immediately have advanced and attacked the rear of the enemy. The situation in which this detachment was placed, although the result of accident, was the best for annoying the enemy and cutting off his retreat that could have been selected. With his raw troops enclosed between two fires, and no hopes of succour, it is hazarding little to say that very few would have escaped.

I have been informed by Colonel Findley, who saw the return of the quarter-master-general the day after the surrender, that their whole force, of every description, white, red, and black, was one thousand and thirty. They had twenty-nine platoons, twelve in a platoon, of men dressed in uniform. Many of these

were evidently Canadian militia. The rest of their militia increased their white force to about seven hundred men. The number of the Indians could not be ascertained with any degree of precision; not many were visible. And in the event of an attack upon the town and fort, it was a species of force which could have afforded no material advantage to the enemy.

In endeavoring to appreciate the motives and to investigate the causes which led to an event so unexpected and dishonorable, it is impossible to find any solution in the relative strength of the contending parties, or in the measures of resistance in our power. That we were far superior to the enemy; that upon any ordinary principle of calculation we would have defeated them, the wounded and indignant feelings of every man there will testify.

A few days before the surrender, I was informed by General Hull, we had four hundred rounds of twenty-four pound shot fixed, and about one hundred thousand cartridges made. We surrendered with the fort forty barrels of powder and two thousand five hundred stand of arms.

The state of our provisions has not been generally understood. On the day of the surrender we had fifteen days provisions of every kind on hand. Of meat there was plenty in the country, and arrangements had been made for purchasing and grinding the flour It was calculated we could readily procure three months provisions independent of one hundred and fifty barrels of flour, and one thousand three hundred head of cattle which had been forwarded from the state of Ohio, which remained at the River Raisin under Captain Brush, within reach of the army.

But had we been totally destitute of provisions, our duty and our interest undoubtedly was to fight. The

enemy invited us to meet him in the field. By defeating him the whole country would have been open to us, and the object of our expedition gloriously and successfully obtained. If we had been defeated, we had nothing to do but to retreat to the fort, and make the best defence which circumstances and our situation rendered practicable. But basely to surrender without firing a gun—tamely to submit without raising a bayonet—disgracefully to pass in review before an enemy as inferior in the quality as in the number of his forces, were circumstances which excited feelings more easily felt than described. To see the whole of our men flushed with the hope of victory, eagerly awaiting the approaching contest, to see them afterwards dispirited, hopeless and desponding, at least five hundred shedding tears because they were not allowed to meet their country's foe, and to fight their country's battles, excited sensations which no American has ever before had cause to feel, and which, I trust in God, will never again be felt, while one man remains to defend the standard of the Union.

I am expressly authorised to state, that Colonel Mc. Arthur and Colonel Findley, and Lieutenant Colonel Miller viewed this transaction in the light which I do. They know and feel that no circumstance in our situation, none in that of the enemy, can excuse a capitulation so dishonorable and unjustifiable. This, too, is the universal sentiment among the troops; and I shall be surprised to learn that there is one man who thinks it was necessary to sheath his sword or lay down his musket.

I was informed by General Hull, the morning after the capitulation, that the British forces consisted of one thousand eight hundred regulars, and that he surrendered to prevent the effusion of human blood. That he magnified their regular force nearly five fold, there can be no doubt. Whether the philanthropic reason assign-

ed by him is a sufficient justification for surrendering a fortified town, an army and a territory, is for the government to determine. Confident I am, that had the courage and conduct of the general been equal to the spirit and zeal of the troops, the event would have been as brilliant and successful as it now is disastrous and dishonorable.

Very respectfully, sir, I have the honor to be, your most obedienl servant, LEWIS CASS,
Col. 3d Regt. Ohio Volunteers.

The Hon. Wm. Eustis,
Secretary of War.

Legislature of Maryland—The following Preamble and Resolutions were ordered to be printed in the House of Delegates.

Whereas, The president of the United States called upon the executive of this state to furnish his proportion of one hundred thousand militia, by virtue of an act of congress, passed 10th April 1812; and it appearing to this general assembly, that the said requisition was unaccompanied with either of the exigencies provided by the constitution:—And whereas, the wise and patriotic framers of our constitution, having for their object the freedom, the happiness and independence of their country, thought it necessary, in order to preserve this government in its republican form, and secure the blessings of liberty to their posterity, to constitute protecting barriers against an improper or ambitious use of military power:—And whereas, offensive wars, schemes of foreign conquest, accession of territory, or national aggrandizement, are repugnant to the principles of our free institutions—Therefore,

Resolved, That it was never contemplated by the constitution, when it entrusted to the general government

the control of the militia, in certain emergencies, that it should, by perverted interpretations, at its discretion, use that power in the absence of those emergencies, and that the calling out of the militia of this state, by the President of the U. States, by virtue of the act aforesaid, without the existence of such emergency, is an open and dangerous innovation upon our rights and liberties.

Resolved, That the power delegated by the constitution to the general government, to raise and support armies, as well from the nature and form of the government, as from the preamble to the constitution, was intended for the defence and protection of our own territory; and that the invasion of a foreign territory, by armies raised and supported by the general government, and garrisoning our forts with the militia, as a substitute for these armies, is holding them in service longer than any exigency existed, even if any existed at all, and an unwarrantable stretch of power, which must ultimately lead to a consolidation of these United States into a military government, if not timely and vigorously checked and resisted by all lawful and constitutional means.

Resolved, That if the general government, as a part of their policy, prefer the service of the militia to the employment of regular troops, in garrison, or any other military operations, even in the state to which they belong, it is, under the constitution, bound to provide all the means necessary for their support, and that it has no power to burthen the states with any of the expenses incident to such service.

General Smyth's Vindication of his Conduct in the Failure of his Attempt to invade Canada.

Head Quarters, Camp near Buffalo, Dec. 3.

Gentlemen—Your letter of the 2d Dec. is before me, and I answer it in the following manner:

On the 26th October, I ordered that 20 scows should be prepared for the transportation of artillery and cavalry, and put the carpenters of the army upon that duty.

By the 26th of Nov. 10 scows were completed, and by bringing some boats from Lake Ontario, above the falls of Niagara, the number was increased to 70.

I had on the 12th Nov. issued an address to the men of New York, and perhaps 300 had arrived at Buffalo. I presumed the regular troops, and the volunteers under colonels Swift and M'Clure, would furnish 2360 men for duty; and of general Tannehill's brigade from Pennsylvania, reporting a total of 1650, as many as 412 had volunteered to cross into Canada. My orders were to "cross with 3000 men at once." I deemed myself ready to fulfill them.

Preparatory thereto, on the night of the 27th of Nov. I sent over two parties, one under lieut. colonel Boerstler, the other under Capt. King, with whom Lieut. Angus of the navy, at the head of a body of seamen, united. The first was to capture a guard and destroy a bridge about 5 miles below Fort Erie: the second party was to take and render useless the cannon of the enemy's batteries, and some pieces of light artillery. The first party failed to destroy the bridge—the second, after rendering unserviceable the light artillery, separated by misapprehension. Lieut. Angus, the seamen, and a part of the troops, returned, with all the boats, while Capt. King, Capt. Morgan, Capt. Spraul, Lieut. Houston and about 60 men, remained. The party thus reduced, attacked, took, and rendered unserviceable two of the enemy's batteries, captured 34 prisoners, found two boats, in which Capt. King sent his prisoners and about half his party with the other officers; he himself remaining with 30 men, whom he would not abandon.

Orders had been given, that all the troops in the neighborhood should march, at reveillee, to the place of embarkation. A part of the detachment sent in the night returned and excited apprehensions for the residue, about 250 men under the command of Colonel Winder, suddenly put off in boats for the opposite shore; a part of the force had landed, when a force deemed superior, with one piece of artillery was discovered; a retreat was ordered, and Colonel Winder's detachment suffered a loss of six killed and nineteen wounded, besides some officers.

The general embarkation commenced as the troops arrived—but this being a first embarkation, the whole of the scows were occupied by about one third of the artillery, while about 800 regular infantry, about 200 twelve months volunteers under Colonel Swift, and about 200 of the militia who had volunteered for a few days, occupied all the boats that were ready. The troops, then embarked, moved up the stream to Black Rock, without loss—they were ordered to disembark and dine.

I had received from my commanding general an instruction in the following words—"In all important movements you will, I presume, consider it advisable to consult some of your principal officers." I deemed this equivalent to an order; and the movement important. I called for the field officers of the regulars and twelve months volunteers embarked. Colonel Porter was not found at the moment. These questions were put—*Is it expedient now to cross? Is the force we have sufficient to conquer the opposite shore?*

The first question was decided in the negative by Colonels Parker, Schuyler, Winder, Lieutenant Colonels Boerstler, Coles, and Major Campbell—Colonel Swift alone gave an opinion for then crossing over. The second question was not decided. Colonels Parker,

Schuyler, Lieutenant Colonel Coles and Major Campbell were decidedly of opinion that the force was insufficient. Colonels Winder, Swift, Lieut. Colonel Boerstler and Captain Gilman, deemed the force sufficient.

I determined to postpone crossing over until more complete preparations would enable me to embark the whole force at once, the counsel prescribed by my orders. The next day was spent in such preparation, and the troops were ordered to be again at the place of embarkation at 8 o'clock on the morning of the 30th of November. On their arrival they were sent into the adjacent woods, there to build fires, and to remain until 3 o'clock A. M. on the 1st of December, when it was intended to put off two hours before daylight, so as to avoid the enemy's cannon in passing the position which it was believed they occupied below, to land above Chippawa, assault that place, and if successful march through Queenston to Fort George. For this expedition, the contractor was called on to furnish rations for 2500 men for four days, when it was found that he could furnish the pork but not the flour—the deputy quarter master called for 60 bbls. and got but 35.

The embarkation commenced, but was delayed by circumstances, so as not to be completed until after daylight, when it was found the regular infantry, 688 men, the artillery, 177 men, Swift's volunteers, estimated at 236, companies of federal volunteers under Captains Collins, Phillips, Allison, Moore, Maher and Marshall, amounting to 276 men, commanded by Lieutenant Colonel Mc. Clure, 100 men of Colonel Dobbin's militia, and a few men in a boat with Gen. P. B. Porter, had embarked— the whole on board amounting, exclusive of officers, to 1465 men, or thereabouts; and it was two hours later than had been contemplated. There were some groups of men not yet embarked; they were applied to, requested and ordered by the brigade major to get into their boats—they did not. The number of

these the brigade major estimated at about 150. It was probably greater. It then became a question whether it was expedient to invade Canada in open daylight, with 1500, at a point where no reinforcements could be expected for some days. I saw that the number of the regular troops was declining rapidly—I knew that on them chiefly I was to depend. I called together the officers commanding corps of the regular army. Col. Parker being sick, those present were Colonel Porter of the artillery, Col. Schuyler, Col. Winder and Lieut. Col. Coles. I put to them this question :—Shall we proceed ? They unanimously decided that we ought not. I foresaw that the volunteers who had come out for a few days, would disperse—several of them had on the evening of the 28th broke their muskets. I foresaw that the number of the regular troops would decrease, the measles and other diseases being among them ; and they were now in tents in the month of December. I informed the officers that the attempt to invade Canada would not be made until the army was reinforced; directed them to withdraw their troops, and cover them with huts immediately.

You say that on Saturday every obstruction was removed, and that a landing might have been effected without the loss of a single man. This proves you unacquainted with the occurrences of the day. Colonel Winder, in returning from the enemys shore in the morning, lost a tenth part of his force, in killed and wounded. The enemy showed no more than 500 or 600 men, as estimated by Colonel Parker, and one piece of artillery supposed a nine pounder. That force we no doubt might have overcome, but not without loss; and that, from the great advantage the enemy would have had, might have been considerable.

To recapitulate :—My orders were to pass into Canada with 3000 men at once. On the first day of embarkation not more than 1100 men were embarked, of whom

400, that is, half the regular infantry, were exhausted with fatigue, and want of rest. On the second embarkation, only 1500 men were embarked, and these were to have put off immediately, and to have descended the river to a point where reinforcements were not to be expected. On both days, many of the regular troops were men in bad health, who could not have stood one day's march; who, although they were on the sick report, were turned out by their ardent officers. The affair at Queenston is a caution against relying on crowds who go to the banks of Niagara to look on a battle as on a theatrical exhibition; who, if they are disappointed of the sights, break their muskets: or if they are without rations for a day desert. I have made to you this frank disclosure without admitting your authority to require it, under the impression that you are patriotic and candid men; and that you will not censure me for following the cautious counsels of experience; nor join the senseless clamor excited against me by an interested man.

I have some reason to believe that the cautious counsel given by the superior officers of my command was good. From deserters we learn, that 2344 rations are issued daily on the frontier, on the British side. Captain King, prisoner at Fort George, writes to an officer thus: "Tell our friends to take better care of themselves than it appears I have done."

I am, gentlemen, with great respect, your most obedient,

ALEXANDER SMYTH,
Brigadier General.

FINIS.

T. Sewell, Printer, Market Square, Niagara, Upper Canada.

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